

HOUSE OF REPRESENTATIVES—Monday, November 8, 1993

The House met at noon and was called to order by the Speaker pro tempore [Mr. MONTGOMERY].

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
November 8, 1993.

I hereby designate the Honorable G.V. (SONNY) MONTGOMERY to act as Speaker pro tempore on this day.

THOMAS S. FOLEY,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

We pray, almighty God, that the wisdom of all the days past will guide us with the concerns of the new day; we pray that we will respond to the challenges that bear mightily down on our Nation with an integrity that expresses the best of character; we pray our words will be forthright and our actions trustworthy, that in all things we may do the work of justice and mercy this day and every day. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kentucky [Mr. MAZZOLI] to lead the House in the Pledge of Allegiance.

Mr. MAZZOLI led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 175. An act to amend title 18, United States Code, to authorize the Federal Bureau

of Investigation to obtain certain telephone subscriber information, and

H.R. 1345. An act to designate the Federal building located at 280 South First Street in San Jose, California, as the "Robert F. Peckham United States Courthouse and Federal Building."

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title: "An act to increase the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans."

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 732. An act to provide for the immunization of all children in the United States against vaccine-preventable diseases, and for other purposes.

THE VOTERS WANT CAMPAIGN FINANCE REFORM NOW

(Mr. MAZZOLI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MAZZOLI. Mr. Speaker, there has been a lot of spin doctoring about the elections of last Tuesday, but I think some points are clear. The voters have rejected the status quo. They have rejected business as usual. The voters have voted for the outsiders against the insiders, and they have voted very loudly and clearly for change.

They are voting for changes in government, Mr. Speaker, and change in the political structure, changes in how people achieve public office. And, it is today that I express a great sadness that we are now 1 year into the 103d Congress and we have not passed campaign finance reform.

All of us knew, coming in last January, that something had to be done about spending limits, something had to be done about political action committees, something had to be done about bundling and soft money, but to this date, Mr. Speaker, nothing has been done.

I am encouraged by expressions that we will reach campaign reform before Thanksgiving, but the issue will not be put to the President's desk until next year. That is really unfortunate because the voters have indicated they want change. We need to deliver that change now.

LEAVING THE STATION

(Mr. HEFLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HEFLEY. Mr. Speaker, tomorrow, the Senate starts considering congressional reform legislation, but here in the House the promise of reform is only a fleeting fantasy.

Once again, the reform train leaves the station, but House Democrats will not even buy a ticket.

Mr. Speaker, the House Democratic leadership has stymied the Joint Committee on the Organization of Congress from achieving real congressional reform.

The Democratic leadership has stalled any markup, rejected any bold measure, and derailed all efforts that challenge their 40-year stranglehold of this institution.

We need real congressional reform. We need a budget process that makes it easier, not harder, to cut spending first. We need to make politicians accountable to the laws they pass on to the people. And we need to open up the process so that every Representative can contribute to the legislative process.

Mr. Speaker, the reform train is leaving the station. The House needs to get on board before the American people are left behind once again.

A "HOT" AND SAUCY STORY

(Mr. SKAGGS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SKAGGS. Mr. Speaker, debunking the myths and misinformation about NAFTA has been an uphill battle. Phrases like "a giant sucking sound" resonate more loudly than "sound economic indicators."

There is a real life story I like to tell, though, which makes the case for NAFTA better than any statistic or projection.

Three years ago, the company that makes Pace picante sauce rented a grocery store in Mexico City to film a TV commercial. After the shoot, rather than lugging all 350 jars of salsa back to the United States, Pace told the Mexican grocer to hang onto the products, maybe stick on some price tags and see what happened. Within 2 weeks all 350 jars were gone and the Mexican grocer was begging for more. American-made Pace picante sauce has since grabbed 11 percent of the market in

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Mexico. Talk about selling coals to Newcastle.

What this story says to me is that American products can compete if given the opportunity. And that is what NAFTA's about—creating opportunities: new markets, higher wage jobs, and a cleaner environment. Right now, the trading deck is stacked against us. The United States market is relatively open to Mexican goods but Mexico sharply restricts American access to its market. NAFTA promises to even this up, expanding U.S. export growth potential. NAFTA will knock down trade barriers and open the door to more success stories for American workers and businesses.

BUDGET SIMPLIFICATION A PRIME INGREDIENT OF CONGRESSIONAL REFORM

(Mr. ALLARD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLARD. Mr. Speaker, it always surprises me when Congress claims it achieved savings by failing to spend as much as had been projected the year before. We then go on to spend the imaginary savings on new programs. It is incredible that this is allowed to continue. Part of the reason this happens is due to the mind-boggling complexity of our budget.

As many suspect, Congress operates by the maxim that, "If you can't dazzle them with brilliance, baffle them with you know what." An average of 200 bills are introduced per session to combat this problem. It is a clear indication of the agreement among Members that the budget is not reliable in its present form.

I feel a simplified budget would be valuable for a number of reasons. We could remove some of the unnecessary complexity by utilizing line-item budgeting. This tool would make our expenditures more identifiable. Many unworthy spending programs are protected by inclusion in general categories.

Fairness in budgeting is another reason to simplify the process. This is a climate where every program should be placed on the table and funded on its merits. Programs which are already accessible often receive more than their fair share of scrutiny. If most of our programs were clear line-item amounts, reductions could be spread more evenly.

Finally, a simplified budget would improve the budget process. Congress wastes too much time debating which baseline to use and which accounting procedures should constitute a spending reduction. For too many years Members of Congress have been able to use this intricate system to fund unnecessary spending. Simplifying the budget would demonstrate an honest

commitment to making Congress and its budget accountable.

By the way, Mr. Speaker, the Senate is moving ahead on congressional reform. Why is the House not doing the same?

CALLING ON PRESIDENT CLINTON TO SUSPEND NAFTA AND SAVE THE DEMOCRAT PARTY

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, American workers helped to elect Bill Clinton; American workers oppose NAFTA; President Clinton now supports NAFTA; all of this forcing the Americans workers to turn to an independent, an independent that is really a Republican.

As a Democrat, I say "beam me up." NAFTA is not only going to destroy jobs, it is tearing apart the core of the Democrat Party that must now defeat NAFTA, but it is also propelling a major third political party. This debate, a side show, has turned NAFTA, in my opinion, into a dog and pony show.

Mr. Speaker, I am asking the President to suspend NAFTA before the Democrat Party is completely decimated. I do not know who was advising the people at the White House or the leaders of the Democrat Party, but it sure as hell was not the American workers and the people who voted for Democrats.

AMERICAN POLICIES PROMOTE VALUES EXPRESSED BY THOMAS JEFFERSON: INDUSTRY, IMPROVEMENT, AND SELF-SUFFICIENCY

(Mr. THOMAS of Wyoming asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMAS of Wyoming. Mr. Speaker, sometimes this Congress is so consumed by its own voice and those of the beltway media that it is difficult for the feelings expressed at home to come through the din.

Henry Bailey, a lawyer and friend from Cheyenne, expresses eloquently the feelings of many. He says:

Sandy and I are doing our best to raise seven children in an economy, a Nation, and a world of uncertainties, trying to provide for their needs—and at the same time teach them to work and provide for themselves. I worry that the messages from Washington, in the form of policies President Clinton is trying to force-feed us, teach them lessons very different about what it takes to succeed in life.

Mr. Bailey further says that Mr. Clinton has often invoked the name of Thomas Jefferson—he should read Jefferson's inaugural:

A wise and frugal government, which shall restrain men from injuring one another, which shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned. This is the sum of good government, and this is necessary to close the circle of our felicities.

□ 1210

Mr. Bailey's and Mr. Jefferson's thoughts are not often heard here.

NAFTA BAD FOR MONTANA

(Mr. WILLIAMS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILLIAMS. Mr. Speaker, for the past almost full year I have considered NAFTA and my vote for or against it. I visited with people on both sides. I have had briefings for people both for and against. I have read the issue papers and briefings that have been sent to me.

I have decided now to vote "no" on NAFTA. Both sides are guilty of oversell. The agreement is neither that good nor is it that bad.

In deciding my vote on NAFTA I used as a model America's last trade agreement, the Canadian Free-Trade Agreement. It is almost 4 years ago that that agreement went into effect with many promises of how good it would be. And it has turned out to be bad, very bad for Montana's agricultural producers.

It is primarily for that reason that I will vote "no" on NAFTA.

WHAT IS CONGRESS DOING ABOUT CRIME?

(Mr. MICA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MICA. Mr. Speaker, last week, the House of Representatives and its leadership robbed the already victimized American people. With their famous smoke and mirror routine they flashed more cops on the beat and puffed more smoke into prison treatment programs. This week, we will finish the assault by making certain that law-abiding citizens jump another hurdle to defend their life, liberty, and property.

But while Congress is committing this slight of hand, should someone not ask—

What happened to legislation to keep repeat offenders behind bars?

What happened to speeding up the tortoise paced criminal judicial process?

What happened to capital punishment for Federal capital crimes?

What happened to legislation to make the punishment fit the crime?

What happened to pledges to stop the criminal revolving door?

Once again Congress and its leadership has assaulted the public's demands, robbed us of an opportunity to

stop being the victim, and now will disarm us.

RETURN ARISTIDE TO HAITI

(Mr. OWENS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OWENS. Mr. Speaker, the struggle in Haiti has taken a new downturn. The U.S. Envoy, Dante Caputo, has left and given up in the negotiations with the military there.

This is a struggle between the international community and the international drug cartel, which owns Haiti. Haiti is the second-largest transshipment point for cocaine moving from Colombia onto the streets of America. The cocaine drug lords support the military and allow them to stand stubbornly in the face of international pressure.

Despite the refusal of the CIA to acknowledge it, the truth is that Haiti is an island already owned by the Colombian drug lords. Either the drug lords will continue to rule Haiti, or Aristide, the elected constitutional head of the country, will be allowed to be returned.

The United States and the international community should act immediately to save our children from new supplies of drugs and to save Haitian democracy. Aristide must be returned, and he must be returned now.

TURNING A DEAF EAR

(Mr. GOSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, Congressional leaders continue to turn a deaf ear to the pleas of the American people who, in overwhelming numbers, demand spending cuts. Yet the chairman of the other body's powerful appropriations committee, over the weekend was quoted "we've already been cut to the bone on discretionary spending." Report after report from the grace commission to current GAO reports show that is not so in the background of our \$250 billion annual budget deficit; our \$4-plus trillion national debt; and the hundreds of billions of dollars of waste every year. How can anyone in leadership seriously imply discretionary cut are off limits? Attempts by the liberal leadership are being made to shut down recommendations of a bi-partisan group of members who identified \$103 billion in spending cuts. Americans care and Americans are raising their voices and voting to send a message—we need to reach those most hard of hearing in this institution. The message is cut spending now.

NAFTA: WE CANNOT AFFORD TO SAY NO

(Mrs. SCHROEDER asked and was given permission to address the House

for 1 minute and to revise and extend her remarks.)

Mrs. SCHROEDER. Mr. Speaker, I rise today in favor of NAFTA, a forward-looking agreement that will create jobs in the United States and strengthen our ability to compete with Europe and Japan.

NAFTA will remove Mexican tariffs, allowing greater access to the Mexican market for our most competitive products. Increased exports to Mexico will spark United States economic growth. The Congressional Budget Office estimates an increase in the U.S. GDP by at least \$73 billion over 5 years. This will result in \$13.8 billion in additional Federal tax revenues.

Such an increase in U.S. exports means more jobs for Americans here at home. The economy of my home State, Colorado, benefits significantly from exports. In fact, Canada is Colorado's second largest trading partner and Mexico is Colorado's sixth. From 1987 to 1992, trade between Colorado and its northern and southern neighbors more than doubled, reaching \$673 million by 1992. This represents almost 18,000 jobs, and makes trade with Canada and Mexico the largest private sector employer in the State.

Exports to Mexico spurring job growth is not simply a Colorado phenomenon. During the past 5 years, States like Illinois, Minnesota, Wisconsin, Kentucky, and Ohio have seen significant job growth directly caused by trade with Mexico. In Illinois, for example, \$1 billion growth in exports to Mexico generated 17,000 new jobs. By 1995, NAFTA will create 200,000 more export-related jobs here in the United States. The benefit to Colorado and America is clear. We cannot afford to say "no."

NAFTA NEXT STEP TO REDUCING WORLD TRADE BARRIERS

(Mr. BOEHNER asked and was given permission to address the House for 1 minute.)

Mr. BOEHNER. Mr. Speaker, the North American Free-Trade Agreement is necessary, and my colleagues and I ought to be supporting it.

Why? Because NAFTA is another step forward in the 40-year struggle America has led around the world to reduce trade barriers, to open up trade to help not only America but other countries in the world.

But whether NAFTA is passed or failed, NAFTA in and of itself is just a small issue. The much broader issue is what is the signal that we send to America, that we send around America and around the rest of the world if we do not pass NAFTA? What are we telling the Europeans and the Pacific rim and others about what America's intentions are?

Are we going to compete or are we going to retreat?

I think it is important, Mr. Speaker, that we tell the world that we take up the challenge, that we will compete. But we shall only do that by taking the next step forward, by passing NAFTA.

UNITED STATES SETS DANGEROUS PRECEDENT IF NAFTA FAILS

(Mr. RICHARDSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RICHARDSON. Mr. Speaker, like President Clinton and many Democrats that are for NAFTA, I have been supported by organized labor in all of my elections. In fact, over 10 years in Congress I have had a 90-percent-plus record in favor of their issues.

Yesterday President Clinton took a courageous stand when he criticized organized labor for their stand on NAFTA.

Mr. Speaker, when our friends are wrong, like labor is on NAFTA, we should not hesitate to tell them so.

Mr. Speaker, if NAFTA is not approved, President Clinton and this country's ability to get the Uruguay round of the GATT talks approved will also be in doubt, because the Europeans and the Japanese are not likely to risk alienating voters at home if they think the United States Congress is going to squelch the deal anyway.

Our moral authority to persuade other nations to support free trade would most certainly be eroded if NAFTA fails. We will set a very dangerous precedent if NAFTA fails.

The day after the NAFTA vote, President Clinton meets with Asian leaders in Seattle to push for free trade. It would be a devastating setback to the President if on the eve of this meeting we rejected NAFTA here in the Congress.

In my opinion, NAFTA will not only serve to create jobs for America, but it is also vital to strengthening our leadership around the world. Remember, over 70 percent of job growth in recent years has come from exports.

Contrary to what my friends in Labor say, NAFTA is a good deal for American workers.

I urge your support on NAFTA.

PRESIDENT IS RIGHT IN CRITICIZING AMERICAN LABOR MOVEMENT

(Mr. PORTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PORTER. Mr. Speaker, the President is absolutely right in his criticism of the American labor movement and its opposition to NAFTA. American labor leaders, unfortunately, are trying to justify themselves by opposing NAFTA, but instead are showing a lack of vision and the playing to fears and

prejudices that too often have been their hallmark.

American labor is selling American workers short. They are the most productive workers in the world and America is the world's greatest exporter—not Japan, nor Germany, but the good old USA.

Can we compete with a weak economy to our south and a tiny economy to our north? Of course. Do lower wages in Mexico mean American business will move there wholesale? Of course not. If that were the case, they would already have done so and Mexico would be the world's strongest economy not the United States.

Mr. Speaker, it is time for the demagogues to stand down and for the United States to lead the world to more free trade and a better life for all people. American labor leaders sell America and its productive, competitive workers far short.

The President is right.

□ 1220

SUPPORT NAFTA: HISTORY IS ON OUR SIDE

(Mr. COPPERSMITH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COPPERSMITH. Mr. Speaker, today's horoscope, as I was born on May 22, says to focus on authority, power, and durable goods.

So today I am going to focus on the latter. There is probably nothing more important that we could do for our durable goods industry than to support the North American Free-Trade Agreement.

Let us look at some trade statistics. I am indebted to David Hale, the chief economist of Kemper Corp., for these statistics: For 1992, the United States had a \$5 billion trade surplus with Mexico, as opposed to a \$75 billion trade deficit with East Asia. Why? Because United States firms account for 70 percent of Mexican imports and we have essentially a mere toehold in East Asia.

Since the 1960's, our trade policies essentially have sent thousands of jobs to East Asia. Those countries have enjoyed a 20-fold increase in their per capita incomes. If we had kept those jobs and that purchasing power in North America, we would be much better off today.

We have an opportunity to create jobs in this House on November 17. Let us not do the work of Japan; let us do the work for the United States.

Let us open up wide one of the most rapidly growing markets to U.S. exports. Let us pass NAFTA.

SUPPORT NAFTA: IT IS GOOD FOR MISSISSIPPI AND THE COUNTRY

(Mr. MONTGOMERY asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. MONTGOMERY. Mr. Speaker, I have two subjects I would like to cover. The first subject, I think NAFTA would be an overall plus for our Nation as well as my State.

Lifting tariffs on goods going into Mexico will make it more open to agricultural and forest products, electronic equipment and machinery, just to name a few.

A couple of years ago, Mr. Speaker, when Mexico reduced its tariffs from 40 percent to around 20 percent, business doubled for some of our manufacturing firms in Mississippi. Eliminating the tariffs altogether would bring even greater economic opportunities.

VETERANS DAY LEGISLATION AND VETERANS' BENEFITS

Mr. Speaker, the second subject that I would like to cover is: A month ago we mailed to each Member's office from our Committee on Veterans' Affairs a packet of information on Veterans Day and legislation passed in the House benefiting veterans. If my colleagues cannot locate that packet, if they would call the Committee on Veterans' Affairs, we will help them.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. RICHARDSON) laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, DC,
November 8, 1993.

Hon. THOMAS S. FOLEY,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on Friday, November 5, 1993 at 4:50 p.m. and said to contain a message from the President wherein he transmits the extension of the agreement between the United States and Korea which constitute a governing international fishery agreement (GIFA) under the Magnuson Fishery Conservation and Management Act of 1976.

With great respect, I am
Sincerely yours,

DONALD K. ANDERSON,
Clerk, House of Representatives.

EXTENSION OF AGREEMENT BETWEEN UNITED STATES AND KOREA CONSTITUTING GOVERNING INTERNATIONAL FISHERY AGREEMENT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 103-161)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Merchant Marine and Fisheries and ordered to be printed:

To the Congress of the United States:

In accordance with the Magnuson Fishery Conservation and Management Act of 1976 (Public Law 94-265; 16 U.S.C. 1801 *et seq.*), I transmit herewith an Agreement Between the Government of the United States of America and the Government of the Republic of Korea Extending the Agreement of July 26, 1982, Concerning Fisheries off the Coasts of the United States, as extended and amended. The agreement, which was effected by an exchange of notes at Washington on June 11, 1993, and October 13, 1993, extends the 1982 agreement to December 31, 1995. The exchange of notes together with the 1982 agreement constitute a governing international fishery agreement within the requirements of section 201(c) of the Act.

In light of the importance of our fisheries relationship with the Republic of Korea, I urge that the Congress give favorable consideration to this agreement at an early date.

WILLIAM J. CLINTON.

THE WHITE HOUSE, November 5, 1993.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5, rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken after consideration of House Resolution 293.

AGE DISCRIMINATION IN EMPLOYMENT AMENDMENTS of 1993

Mr. OWENS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2722) to amend the Age Discrimination in Employment Act of 1967 with respect to State and local firefighters, law enforcement officers, and incumbent elected judges; and to amend the Age Discrimination in Employment Amendments of 1986 to prevent the repeal of the exemption for certain bona fide hiring and retirement plans applicable to State and local firefighters and law enforcement officers, as amended.

The Clerk read as follows:

H.R. 2722

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Age Discrimination in Employment Amendments of 1993".

SEC. 2. AMENDMENTS.

Section 4(j)(1) of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 623(j)(1)) is amended by striking "attained the age" and all that follows through "1983, and", and inserting the following:

"attained—

"(A) the age of hiring or retirement in effect under applicable State or local law on March 3, 1983, or

"(B) if the age of retirement was not in effect under applicable State or local law on March 3, 1983, 55 years of age; and".

SEC. 3. REPEALER.

Section 3(b) of the Age Discrimination in Employment Amendments of 1986 (29 U.S.C. 623 note) is repealed.

SEC. 4. STUDY AND GUIDELINES FOR PERFORMANCE TESTS.

(a) **STUDY.**—Not later than 3 years after the date of enactment of this Act, the Chairman of the Equal Employment Opportunity Commission (in this section referred to as "the Chairman") shall conduct, directly or by contract, a study that will include—

(1) a list and description of all tests available for the assessment of abilities important for completion of public safety tasks performed by law enforcement officers and firefighters,

(2) a list of such public safety tasks for which adequate tests do not exist,

(3) a description of the technical characteristics that performance tests must meet to be compatible with applicable Federal civil rights Acts and policies,

(4) a description of the alternative methods available for determining minimally acceptable performance standards on the tests described in paragraph (1),

(5) a description of the administrative standards that should be met in the administration, scoring, and score interpretation of the tests described in paragraph (1), and

(6) an examination of the extent to which the tests described in paragraph (1) are cost effective, safer, tests and comply with Federal civil rights Acts and regulations.

(b) **ADVISORY GUIDELINES.**—Not later than 4 years after the date of enactment of this Act, the Chairman shall develop and issue, based on the results of the study required by subsection (a), advisory guidelines for the administration and use of physical and mental fitness tests to measure the ability and competency of law enforcement officers and firefighters to perform the requirements of their jobs.

(c) **CONSULTATION REQUIREMENT; OPPORTUNITY FOR PUBLIC COMMENT.**—(1) The Chairman shall, during the conduct of the study required by subsection (a), consult with—

(A) the United States Fire Administration,

(B) the Federal Emergency Management Agency,

(C) organizations that represent law enforcement officers, firefighters, and their employers, and

(D) organizations that represent older individuals.

(2) Before issuing the advisory guidelines required in subsection (b), the Chairman shall allow for public comment on the proposed guidelines.

(d) **DEVELOPMENT OF STANDARDS FOR WELLNESS PROGRAMS.**—Not later than 2 years after the date of the enactment of this Act, the Chairman shall propose advisory standards for wellness programs for law enforcement officers and firefighters.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$5,000,000.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from New York [Mr. OWENS] will be recognized for 20 minutes and the gentleman from Pennsylvania [Mr. GOODLING] will be recognized for 20 minutes.

The Chair recognizes the gentleman from New York [Mr. OWENS].

Mr. OWENS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 2722, the Age Discrimination in Employment Amendments of 1993.

This legislation would permanently exempt State and local public safety agencies from the Age Discrimination in Employment Act in order to permit them to consider age in their hiring and retirement policies. Federal public safety agencies, including the Federal Bureau of Investigation and Federal firefighters, are already permanently exempted from the ADEA.

As a rule, Congress must avoid exempting whole classes of employees from the protection of civil rights laws unless it is absolutely necessary. We should not carve out exemptions merely because an employer finds civil rights compliance to be costly or inconvenient. Exemptions must be made only when there is a strong compelling need to do so and there is no other reasonable alternative. This is one of those rare instances.

State and local fire and police agencies must be exempted from the ADEA in order to protect and promote the safety of the public. This is literally a life or death matter. If police officers or firefighters cannot adequately perform their duties, people die and people get hurt.

Age does indeed affect an individual's ability to perform the duties of a public safety officer. This is not a stereotype. This is not ageism. This is a medical fact. Physical ability declines with age. For example, aerobic capacity declines at a rate of 1 percent per year after age 30. Strength declines at a rate of 10-13 percent every decade. The risk of sudden incapacitation also clearly increases with age, increasing sixfold between the age of 40 and 60 years of age. These physical effects are not experienced by all people to the same degree or at the same precise time. But they pose a significant problem to public safety agencies in their efforts to maintain a fit and effective work force.

A public safety agency can respond to age-related declines in ability in one of two ways. It can establish an age-based mandatory retirement policy. This will reduce the risks to public safety, but it may result in some capable individuals being forcibly retired.

Alternatively, an agency can try to use performance and physical ability testing to try to screen out employees who might pose a threat to public safety. Unfortunately, there are numerous problems with trying to use tests as an alternative to age which makes this option untenable.

It is simply not possible to devise a test for all tasks carried out by a public safety employee. For example, no test could have possibly simulated the

kinds of physical conditions firefighters in southern California have faced over the past 2 weeks. No test, no matter how comprehensive, can measure all of the skills and abilities a public safety employee must possess.

Moreover, there is no current test that can effectively screen for the risk of sudden incapacitation among symptomatic individuals. A mandatory retirement age, used in conjunction with screening for their risk factors, continues to be the most effective way of reducing the risk of sudden incapacitation by public safety officers.

Another, but lesser concern is that it is enormously expensive to administer performance and ability tests on a periodic basis to all public safety employees, consuming scarce resources that are needed to keep police on the street. In addition, testing often entails considerable litigation over the content of the tests. In Tennessee, for example, there were several years of litigation over the State wildlife officer's entrance exam which focused on the question of whether the fences that recruits had to scale should be 8 or 10 feet tall.

Testing can also have a very serious negative impact on other individuals and groups that historically have been discriminated against in employment. Tests have been proven to have an adverse impact on women and minorities. Women on average are less strong than men. Written tests may underpredict the on-the-job performance of minorities. To assure that such factors did not prevent women and minorities from serving in public safety positions, many agencies within-group normed the results of certain tests. Unfortunately, a provision of the Civil Rights Act of 1991 now prohibits the practice of norming. As a result, any increase in the use of physical and mental testing of public safety employees will jeopardize employment opportunities for women and minorities.

For these and other reasons, testing does not today represent a viable alternative to age-based mandatory retirement policies for public safety agencies. Under H.R. 2722, those agencies who wish to experiment with testing in lieu of retirement ages will be able to do so. But given the uncertainty about the effectiveness, effects and implications of using tests as a substitute for age, the Congress must not force every public safety agency to implement them. This would be the case if we did not enact H.R. 2722.

I want to emphasize that this exemption is strongly supported by the affected employees themselves; if they did not support it, I would not have introduced H.R. 2722 and the Committee on Education and Labor would not have reported it without a single objection. Age-based retirement is not regarded by firefighters and police officers as unfair or as something which imposes any kind of hardship on them;

on the contrary, they believe it is essential. What is more, where agencies have set mandatory retirement ages, most of the employees retire well before attaining that age. Those who wish to continue to work full time have no problem finding other employment.

This is why this legislation is strongly supported by not only the National League of Cities and other public safety employers but by the Fraternal Order of Police, the International Association of Firefighters, and other representatives of public safety employees.

In making this exemption from ADEA permanent, our intent is not to forever close the door on this issue. Rather, our objective is to ensure that when Congress does reexamine this issue, it does so because there are compelling reasons to take another look—not because of some arbitrary, predetermined deadline.

I would strongly support reexamining this issue and consider amending or repealing the exemption in any of the following circumstances:

If there were any indications that significant numbers of public safety employees considered the exemption to be unfair and unwarranted;

If Federal public safety agencies such as the FBI and Federal firefighters eliminated their age-based retirement policies; or

If there was compelling evidence that there were reasonable, effective alternatives to the use of age which did not have an adverse impact on any class of individuals who are protected by Federal civil rights laws.

The 1964 Civil Rights Act, the ADEA, and other civil rights statutes have all been amended numerous times since their original enactment; no special temporary provision was needed to prod Congress to act in these instances. Permanent does not mean forever. What it means is that Congress will only return to this issue when there is strong support and compelling evidence for it to do so.

I urge my colleagues to join me in supporting H.R. 2722. It is imperative that all public safety employees be fit, effective and fully capable of fulfilling their duties. This legislation will assure that State and local police and fire agencies will be able to pursue that goal using the same age-based employment criteria which is now used by the FBI, the Secret Service, and other Federal public safety agencies.

□ 1230

Mr. Speaker, I reserve the balance of my time.

Mr. GOODLING. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2722, the Age Discrimination in Employment Amendments of 1993. This bill would permanently extend the pub-

lic safety exemption under the Age Discrimination in Employment Act [ADEA]. Thus, the legislation would allow State and local police and fire departments to use maximum hiring ages and mandatory retirement ages without having to prove that age is a bona fide occupational qualification. Mandatory retirement policies are generally not permissible under the ADEA.

H.R. 2722 is very similar to H.R. 2554, which was introduced by Mr. MURPHY, and which I cosponsored along with many other Democrat and Republican Members of this body. The only difference is H.R. 2722 would not limit the public safety exemption to those police and fire departments that had age-based personnel policies in place as of March 3, 1983. Rather, it would allow all police and firefighting forces to have mandatory retirement policies as long as such policies are no more restrictive than 55 years of age. Fifty-five is the retirement age that is often applicable to Federal sector public safety personnel. This provision was added to H.R. 2722 in the interest of having a uniform national policy applicable to all State and local governments.

As a supporter of this legislation, I must take care to reiterate that it is an exception to the usual rule that arbitrary age-based distinctions that limit the employment opportunities of older Americans will not be tolerated. When the ADEA was amended in 1986 to remove the upper limit of 70 years of age for coverage under the act, Congress was making a statement that no age should be an impediment to career advancement if an individual had the skills and expertise to succeed in his or her chosen profession. At that same time, however, Congress recognized the unique demands and responsibilities inherent to the field of public safety, including the needs for judicial consistency in terms of what the hiring and retirement standards should be and for a well-trained and physically and mentally capable work force. Thus, Congress created the exemption under the ADEA allowing police and fire departments to continue to use age-based hiring and retirement policies.

Perhaps unfortunately, the reasons why this legislation is necessary today are much the same as they were 7 years ago. There simply is not adequate guidance in place to enable police and fire departments to replace age-based personnel policies with physical and mental tests that will meet their work force needs while at the same time withstand judicial scrutiny. I might add that businesses throughout the country are very familiar with this bind. H.R. 2722 attempts to address this problem with respect to public safety by requiring the Equal Employment Opportunity Commission to conduct a study of available tests to assess law enforcement officers' and firefighters'

performance of their jobs and to promulgate guidelines for the administration and use of physical and mental fitness tests to measure the ability and competency of law enforcement officers and firefighters.

H.R. 2722 must walk the delicate line between protecting the employment rights of older Americans and ensuring the public safety needs of all Americans. I believe H.R. 2722 does so fairly and I urge my colleagues to support the legislation.

Mr. OWENS. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. MURPHY].

Mr. MURPHY. Mr. Speaker, I thank my chairman, the gentleman from New York [Mr. OWENS], for yielding this time to me.

Originally I sponsored H.R. 2552 in which my good colleague and friend, the gentleman from Pennsylvania [Mr. GOODLING] joined me, together with 105 other sponsors.

Basically all this legislation intends to do is to carry out an extension of an amendment to the Age Discrimination Act which this Congress passed in 1986 by a vote of 394 to nothing.

The gentleman from New York [Mr. OWENS] the gentleman from Pennsylvania [Mr. GOODLING], myself, the gentleman from Wisconsin [Mr. GUNDERSON], all of the members of the Committee on Education and Labor have long been champions of our senior citizens. We believe that people who are in their fifties, sixties, yes, seventies, and even eighties, can perform many vital functions and tasks and should not be discriminated against just because of their advanced age; however, we just as firmly believe that police and firemen should not be subject to this Federal regulation or Federal law that says there shall be no discrimination.

All this legislation will do is make permanent the amendment we passed in 1986 that says the local government, the State government, the city, the county, may set up a retirement system for firemen and policemen.

□ 1240

Surely it must be within their discretion to determine whether a person 87 years of age can be fighting out of duel with armed criminals on the street or whether a 72-year-old can perform the same functions as a 42-year-old in fighting fires, as my chairman, the gentleman from New York [Mr. OWENS], mentioned is going on in the State of California today.

Mr. Speaker, this discretion to make mandatory their service when they are in the frontlines of our public safety must be left to the local government, not to the Congress of the United States. That is what we determined in 1986 when we granted a 7-year extension, and during that time our study showed, and the response from all local government, the response from the policemen and the firefighters who are on

frontlines are saying, "Let that determination be made by our local government." The experience in those 7 years has proven to us that this should be made permanent. There should be an exemption from the Age Discrimination Act to allow that public safety employees be retired at the discretion of their local government.

Mr. Speaker, I urge all of the Members to support this, keeping in mind we are champions of the senior citizens, but also we must be the champions of public safety.

Mr. Speaker, today I rise in support of H.R. 2722. This legislation is the successor to a bill I introduced earlier this year, H.R. 2554. I was pleased to serve as an original cosponsor of this legislation with the chairman of the Subcommittee on Select Education and Civil Rights, MAJOR OWENS. Representative OWENS deserves much of the credit for keeping this issue under active consideration. I applaud his interest in such a vital public safety issue.

As many of you may remember, this debate actually started years ago. In 1986, Congress debated and passed an amendment to the Age Discrimination in Employment Act of 1967 [ADEA] which bars most employers from setting mandatory retirement ages. During that debate, I offered an amendment which created a 7-year exemption for State and local governments allowing them to set mandatory retirement ages for firefighters and law enforcement officers. The vote was 394-0. This exemption is set to expire on December 31, 1993.

Throughout my years of public service, I have championed the rights of America's older citizens. I have always believed that there are many people of advanced age who have the capacity and the ability to continue working. Many of us in Congress watched with great admiration the work and dedication of the late Congressman Claude Pepper. The fact that mandatory retirement ages no longer exist in most professions, stands as a testament to the dogged determination of that remarkable man.

While there are numerous occupations that Senior Citizens can perform well past the age of 65, I submit that firefighting and police work are not among them. I firmly believe that we should not confuse what is advantageous for many public sector employees with what is safe for other public safety employees and reasonable for the community. No one can honestly say that the public would be adequately protected by 98-year-old police officers chasing drug dealers down the street or fighting in pitched battles with dangerous, well-armed criminals. Also, picture the fireman who is on the line of duty in his thirties, or forties, or fifties, who has to serve alongside a person who is in his eighties, who cannot be removed from the front lines.

Making this exemption permanent allows State and local governments to use their own discretion in establishing proper retirement ages for public safety officers. I do not believe Congress should impose its judgment in place of theirs. I believe that the right course is to allow the local councilman and State legislator to determine whether or not State troopers should be serving at 72 or 82 years of age. This was the original intent of the law, and this judgment is still correct.

I want to thank my 105 colleagues who joined with me as cosponsors of H.R. 2554. This commitment to the success of H.R. 2554 should not be enlisted to pass H.R. 2722.

Mr. OWENS. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. SAWYER].

Mr. SAWYER. Mr. Speaker, I thank the gentleman from New York [Mr. OWENS] and our ranking member, the gentleman from Pennsylvania [Mr. GOODLING], and I associate myself with the comments of both gentlemen in commenting briefly on an amendment that I had offered in committee which I believe furthers the primary goal of this legislation—the protection of public safety.

The amendment, which was supported unanimously by the committee, provides for the development and voluntary use of two tools that will help our cities and towns maintain effective public safety forces:

First, it requires the Equal Employment Opportunity Commission to develop guidelines for performance tests which cities could use to measure the fitness of public safety officers;

Second, my amendment requires EEOC to develop standards for wellness programs for fire fighters and police that will give these valuable public servants opportunities to stay fit for duty.

I want to make it clear that my amendment does not mandate anything. It simply requires the Federal Government to provide our local governments with a range of cost effective, flexible, and fair ways to ensure the safety of their citizens.

Our goal is to assure the citizens of our communities, and our public safety forces themselves, that those in the front line of public safety, that they are fit to carry out their responsibilities effectively.

Again, Mr. Speaker, I thank the gentleman from New York [Mr. OWENS] for his support, and I urge my colleagues to support H.R. 2722.

Mr. BALLENGER. Mr. Speaker, I rise in support of H.R. 2722, the Age Discrimination in Employment Amendments of 1993, a measure which was favorably reported by the Committee on Education and Labor several weeks ago.

The bill before us today simply extends, on a permanent basis, the exemption under the Age Discrimination in Employment Act [ADEA] allowing police and fire departments to use maximum hiring and mandatory retirement ages without having to prove that age is a bona fide occupational qualification. The bill would not limit the exemption to those departments having such personnel policies in place on March 3, 1983, but would allow departments to develop such policies as long as they were no more restrictive than a 55 year mandatory retirement age. I am pleased to be able to support the legislation as it was reported by the committee as I did have some concerns about the bill as it was introduced. I point out, for my colleagues information, that a

somewhat controversial provision with reference to the mandatory retirement of elected judges was deleted and I appreciate the committee's decision to hold that issue until a later day.

My decision to support the permanent extension of the public safety exemption under the Age Discrimination in Employment Act [ADEA] did not come without serious thought about the message it would send to the older members of our work force. As I am now among those ranks myself, I am concerned about the use of age criteria that arbitrarily limit the employment prospects of senior citizens. However, in this limited case of public safety, I was convinced by the vivid testimony of representatives of police and firefighting forces that an exception allowing mandatory retirement was necessary.

Many of the letters and visits I received on this issue emphasized the fact that there were not adequate tests available to measure the physical and mental capacities of older police officers and firefighters to respond to the types of emergency situations that their professions confront. Perhaps appropriately rigorous tests can be developed that will survive judicial scrutiny, and the legislation before us today takes steps toward that end. It requires the Equal Employment Opportunity Commission to conduct a study of available tests to assess law enforcement officers' and firefighters' performance of their jobs and to promulgate guidelines for the administration and use of physical and mental fitness tests to measure the ability and competency of law enforcement officers and firefighters.

I am certain that both the full committee and the Subcommittee on Select Education and Civil Rights will continue to monitor the practical effects of mandatory retirement in the public safety area, and I assuredly will support the chairman in these efforts.

Mr. OWENS. Mr. Speaker, I have no further requests for time, and, if the other side is prepared to yield back its time, I will yield back the balance of my time.

Mr. GOODLING. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MONTGOMERY). The question is on the motion offered by the gentleman from New York [Mr. OWENS] that the House suspend the rules and pass the bill, H.R. 2722, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended, and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to amend the Age Discrimination in Employment Act of 1967 with respect to State and local firefighters and law enforcement officers; and to amend the Age Discrimination in Employment Amendments of 1986 to prevent the repeal of the exemption for certain bona fide hiring and retirement plans applicable to State and local firefighters and law enforcement officers."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. OWENS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and include extraneous material, on H.R. 2722, the bill just considered and passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

OLDER AMERICANS ACT TECHNICAL AMENDMENTS OF 1993

Mr. MARTINEZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3161) to make technical amendments necessitated by the enactment of the Older Americans Act Amendments of 1992, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3161

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Older Americans Act Technical Amendments of 1993".

SEC. 2. TECHNICAL AMENDMENTS TO THE OLDER AMERICANS ACT OF 1965.

The Older Americans Act of 1965 (42 U.S.C. 3001-3058ee) is amended—

(1) in section 102(3) by inserting "of the United States" after "Virgin Islands",

(2) in section 202(a)(18)—

(A) by striking "and service providers.", and

(B) by inserting "and service providers," after "on aging",

(3) in section 202(a)(27)(C) by striking "1994" and inserting "1995",

(4) in section 203(a)(3) by striking "Federal" the first place it appears,

(5) in section 206(g)—

(A) in paragraph (1) by striking "1994" and inserting "1995",

(B) in paragraph (2)(B) by striking "1993" and inserting "1994", and

(C) in paragraph (3) by striking "1994" and inserting "1995",

(6) in the first sentence of section 211 by striking "agencies," and inserting "agencies",

(7) in section 302 by striking paragraph (10),

(8) in paragraphs (1) and (2) of section 305(b) by striking "clause (1) of subsection (a)" each place it appears, and inserting "subsection (a)(1)",

(9) in section 307—

(A) in section 307(a)—

(i) in the last sentence of paragraph (8) by striking "knowledgable" and inserting "knowledgeable", and

(ii) in paragraph (24) by striking the semicolon at the end and inserting a period, and

(B) in subsection (b)(2) by striking "the requirement described in clause (3)(B) of subsection (a)" and inserting "such requirement",

(10) in section 310(a)(1) by striking "Disaster Relief and Emergency Assistance Act" and inserting "Robert T. Stafford Disaster Relief and Emergency Assistance Act",

(11) in section 314(a) by striking "(a) PROMOTION.—",

(12) in section 321(a)(15) by striking "clause (16) of section 307(a)" and inserting "chapter 3 of subtitle A of title VII and section 307(a)(16)",

(13) in section 361(a) by inserting "and Prevention" after "Control",

(14) in section 402(b) by striking "Alcohol, Drug Abuse, and Mental Health Administration" and inserting "Substance Abuse and Mental Health Services Administration",

(15) in section 411(e) by striking "431(b)" and inserting "section 431(b)",

(16) in the first sentence of section 421(a) by striking "purposes" the last place it appears and inserting "purpose",

(17) in section 429G(a)(2)(B)(v)(X) by striking "and" at the end,

(18) in subsections (a) and (b)(2) of section 429I by striking "black" and inserting "Black",

(19) in section 429J(a)(2)(D) by inserting "of 1974" after "Act", and

(20) in section 510 by striking "section 203 of such Act (29 U.S.C. 1603)" and inserting "sections 203 and 204(d)(5)(A) of such Act (29 U.S.C. 1603, 1604(d)(5)(A))", and

(21) in subsections (c) and (d) of section 614 by striking "Commission" and inserting "Assistant Secretary".

SEC. 3. ASSISTANT SECRETARY FOR AGING.

(a) AMENDMENTS TO THE OLDER AMERICANS ACT OF 1965.—The Older Americans Act of 1965 (42 U.S.C. 3001-3058ee) is amended—

(1) by amending section 102(2) to read as follows:

"(2) The term 'Assistant Secretary' means the Assistant Secretary for Aging.",

(2) in section 201—

(A) in subsection (a) by striking "a Commissioner on" and inserting "an Assistant Secretary for",

(B) in subsection (c)—

(i) in paragraph (2) by striking "an Associate Commissioner on" and inserting "a Director of the Office for", and

(ii) in paragraph (3) by striking "Associate Commissioner on" and inserting "Director of the Office for",

(C) in subsection (d)—

(i) by striking "an Associate Commissioner for Ombudsman Programs" and inserting "a Director of the Office of Long-Term Care Ombudsman Programs", and

(ii) by striking "Associate Commissioner" each place it appears and inserting "Director", and

(D) by striking "Commissioner" each place it appears and inserting "Assistant Secretary",

(3) in section 202—

(A) in the heading by striking "COMMISSIONER" and inserting "ASSISTANT SECRETARY",

(B) in subsection (a)(21)(A) by striking "Associate Commissioner for Ombudsman Programs" and inserting "Director of the Office of Long-Term Care Ombudsman Programs",

(C) in subsection (e)(1)(A)(iv) by striking "Associate Commissioner on" and inserting "Director of the Office for", and

(D) by striking "Commissioner" each place it appears and inserting "Assistant Secretary",

(4) in sections 212 and 429E—

(A) by striking "Associate Commissioner on" and inserting "Director of the Office for", and

(B) by striking "Commissioner" each place it appears and inserting "Assistant Secretary",

(5) in section 307—

(A) in subsections (d) and (e) by striking "Commissioner's" each place it appears and inserting "Assistant Secretary's", and

(B) by striking "Commissioner" each place it appears and inserting "Assistant Secretary",

(6) in section 311(a)(4)(B) by striking "Commissioner" and inserting "Assistant Secretary for Aging",

(7) in section 427—

(A) in subsection (a) by striking "Commissioner" and inserting "Assistant Secretary", and

(B) in subsection (b) by striking "Commissioner on Aging" each place it appears and inserting "Assistant Secretary",

(8) in subsections (a) and (b)(1) of section 503, and in section 505(a), by striking "Commis-

sioner" each place it appears and inserting "Assistant Secretary for Aging",

(9) in section 712—

(A) in subsection (h)(4)(A) by striking "Associate Commissioner for Ombudsman Programs" and inserting "Director of the Office of Long-Term Care Ombudsman Programs", and

(B) by striking "Commissioner" each place it appears and inserting "Assistant Secretary",

(10) in section 751—

(A) in subsection (a) by striking "Associate Commissioner on" and inserting "Director of the Office for", and

(B) in subsections (a) and (b) by striking "Commissioner" each place it appears and inserting "Assistant Secretary",

(11) in the headings of sections 338B(b), 429A(g)(2), 429G(c)(2), and 763(b) by striking "COMMISSIONER" and inserting "ASSISTANT SECRETARY",

(12) in the heading of section 433 by striking "COMMISSIONER" and inserting "ASSISTANT SECRETARY", and

(13) by striking "Commissioner" each place it appears, and inserting "Assistant Secretary", in sections 203(a), 203A, 204(d), 205, 206(g), 207, 211, 214, 215(b)(2), 301, 304, 305, 306, 308, 309(a), 310, 312, 313(a), 314, 321, 331, 336, 337, 338(a), 338B, 338B, 341, 351, 361, 381, 402, 411, 412, 421, 422, 423, 424, 425(a), 428, 429, 429A, 429B, 429C, 429D, 429F, 429G, 429H, 429I, 429J, 431, 432, 433, 613, 614, 614A, 623, 624, 631, 632, 701, 703, 705(a)(7)(D), 713, 741(a)(4)(G), 763, and 764(a).

(b) AMENDMENTS TO OTHER LAW.—(1) Section 5315 of title 5 of the United States Code is amended in the item relating to Assistant Secretaries of Health and Human Services by striking "(5)" and inserting "(6)".

(2) Section 9(b) of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 958(b)) is amended by striking "Commissioner on Aging" and inserting "Assistant Secretary for Aging".

(3) Sections 911(a)(8) and 921(a)(2) of the Alzheimer's Disease and Related Dementias Services Research Act of 1986 (42 U.S.C. 11211(a)(8), 11221(a)(2)) are amended by striking "Commissioner on Aging" and inserting "Assistant Secretary for Aging".

(4) Section 17(o)(3)(A) of the National School Lunch Act (42 U.S.C. 1766(o)(3)(A)) is amended by striking "Commissioner of Aging" and inserting "Assistant Secretary for Aging".

(c) REFERENCES.—Any reference to the Commissioner on Aging in any order, rule, guideline, contract, grant, suit, or proceeding that is pending, enforceable, or in effect on the date of the enactment of this Act shall be deemed to be a reference to the Assistant Secretary for Aging.

SEC. 4. MATTERS RELATING TO THE OLDER AMERICANS ACT AMENDMENTS OF 1992.

(a) TECHNICAL AMENDMENTS.—The Older Americans Act Amendments of 1992 (Public Law 102-375; 106 Stat. 1195-1310) is amended—

(1) in section 202(g) by striking "1993" each place it appears and inserting "1994",

(2) in section 211 by striking "1994" and inserting "1995", and

(3) in section 502(b)—

(A) in the matter preceding paragraph (1) by striking "The first sentence of section" and inserting "Section", and

(B) in paragraph (1) by inserting "in the first sentence" after "(1)".

(b) DELAYED APPLICABILITY OF CERTAIN AMENDMENTS.—The amendments made by—

(1) sections 303(a)(2), 303(a)(3), 304 (excluding paragraphs (1) and (2) of subsection (a)), 305, 306, 307, and 317, and

(2) title VII,

of the Older Americans Act Amendments of 1992 (Public Law 102-375; 106 Stat. 1221 et seq.) shall not apply with respect to fiscal year 1993.

SEC. 5. TECHNICAL AMENDMENTS TO THE NATIVE AMERICAN PROGRAMS ACT OF 1974.

The Native American Programs Act of 1974 (42 U.S.C. 2991-2992d) is amended—

(1) in section 802 by striking "Alaskan" and inserting "Alaska", and

(2) in the first sentence of section 803(a) by striking "nonreservation areas" and inserting "areas that are not Indian reservations or Alaska Native villages",

(3) in section 803A—

(A) in subsections (b), (c), and (d)(1) by striking "to which a grant is awarded under subsection (a)(1)" each place it appears,

(B) in subsection (d)(2) by striking "to which a grant is made under subsection (a)(1)", and

(C) in subsection (f)(1) by striking "for fiscal years 1988, 1989, and 1990 the aggregate amount \$3,000,000 for all such fiscal years" and inserting "for each of the fiscal years 1992, 1993, and 1994, \$1,000,000",

(4) in section 803B(c)—

(A) in paragraph (5) by striking "individuals who" and inserting "agencies described in section 803(a) that", and

(B) in paragraph (6) by striking "such individuals" and inserting "Native Americans",

(5) in section 806(a)(2) by striking "Alaskan" and inserting "Alaska",

(6) in section 815—

(A) in paragraph (2) by striking "Alaskan" each place it appears and inserting "Alaska", and

(B) in paragraph (4) by adding a semicolon at the end, and

(6) in section 816—

(A) in subsections (a) and (b) by inserting a comma after "803A" each place it appears,

(B) in subsection (c) by striking "are" and inserting "is",

(C) in subsection (e) by striking "fiscal years 1992 and 1993" and inserting "fiscal year 1994", and

(D) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively.

SEC. 6. AMENDMENTS REGARDING THE WHITE HOUSE CONFERENCE ON AGING.

Title II of the Older Americans Amendments of 1987 (42 U.S.C. 3001 note) is amended—

(1) in section 202(a) by striking "December 31, 1994" and inserting "May 31, 1995",

(2) in section 203(b)—

(A) in paragraph (1) by striking "subsection (a)(2)" and inserting "subsection (a)(3)", and

(B) in paragraph (3) by striking "subsection (a)(5)" and inserting "subsection (a)(6)",

(3) in section 204—

(A) in subsection (a)—

(i) in paragraph (1) by striking "90 days after the enactment of the Older Americans Act Amendments of 1992" and inserting "December 31, 1993", and

(ii) in paragraph (2)(B) by striking "60 days" and inserting "90 days",

(B) in subsection (b) by moving the left margin of paragraph (2) 2 ems to the right so as to align such margin with the left margin of paragraph (1), and

(C) in subsection (d) by striking "prescribed rate for GS-18 under section 5332" and inserting "equivalent of the maximum rate of pay payable under section 5376",

(4) in section 206(5) by inserting "of the United States" after "Virgin Islands", and

(5) in section 207—

(A) in subsection (a)(1) by striking "1994" and inserting "1996", and

(B) in subsection (b)—

(i) in paragraph (1)—

(I) by striking "June 30, 1995, or", and

(II) by striking "whichever occurs earlier",

(ii) in paragraph (2)—

(I) by striking "June 30, 1995, or", and

(II) by striking "whichever occurs earlier", and

(iii) in paragraph (3) by striking "June 30, 1994" and inserting "December 31, 1995".

SEC. 7. AMENDMENTS TO THE COMMUNITY SERVICES BLOCK GRANT ACT.

(a) DISCRETIONARY AUTHORITY.—Section 681(a)(2) of the Community Services Block Grant Act (42 U.S.C. 9910(a)(2)) is amended—

(1) in subparagraph (D) by striking "(including" and all that follows through "facilities", and inserting "including rental housing for low-income individuals",

(2) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively, and

(3) by inserting after subparagraph (D) the following:

"(E) technical assistance and training programs regarding the planning and development of rural community facilities (in selecting entities to carry out such programs, the Secretary shall give priority to organizations described in subparagraph (D));"

(b) ANNUAL REPORT.—Section 682 of the Community Services Block Grant Act (42 U.S.C. 9911) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking "contract with" and inserting "awarding a grant or contract to",

(ii) by striking "this subtitle" and inserting "section 674", and

(iii) by striking subparagraphs (A) and (B) and inserting the following:

"(A) The uses of the Community Services Block Grant to the States that are related to the purposes of the subtitle.

"(B) The number of entities eligible for funds under this subtitle, the number of low-income persons served under this subtitle, and that amount of information concerning the demographics of the low-income populations served by such eligible entities as is determined to be feasible.

"(C) Any information in addition to that described in subparagraph (B) that the Secretary considers to be appropriate to carry out this subtitle, except that the Secretary may not require a State to provide such additional information until the expiration of the 1-year period beginning on the date on which the Secretary notifies such State that such additional information will be required to be provided."

(B) by striking paragraphs (2) and (3), and

(C) by adding at the end the following:

"(2) In selecting an entity to prepare a report under this subsection, the Secretary shall give a preference to any nonprofit entity that has demonstrated the ability to secure the voluntary cooperation of grantees under this subtitle in designing and implementing national Community Services Block Grant information systems.", and

(2) in subsection (b) by striking "Not later" and all that follows through "prepared, the", and inserting "The".

(c) TECHNICAL AMENDMENTS.—The Community Services Block Grant Act (42 U.S.C. 9901-9912) is amended—

(1) in section 673(4) by inserting "of the United States" after "Virgin Islands",

(2) in section 674(a)—

(A) in paragraphs (1)(B) and (2)(A)(ii) by striking "681(c)" each place it appears and inserting "681(d)", and

(B) in paragraph (3) by inserting "of the United States" after "Virgin Islands",

(3) in section 680(a) by striking "681(c)" and inserting "681(d)", and

(4) in section 681A by striking "Statewide" and inserting "statewide".

SEC. 8. TECHNICAL AMENDMENTS WITH RESPECT TO CHILD CARE.

Section 8 of Public Law 102-586 is amended by striking "Child Care and Development Block Grant Act Amendments of 1992" each place it

appears and inserting "Child Care and Development Block Grant Act of 1990".

SEC. 9. AMENDMENTS TO THE CHILD ABUSE PREVENTION AND TREATMENT ACT.

(a) IN GENERAL.—The first sentence of section 114(d) of the Child Abuse, Domestic Violence, Adoption and Family Services Act of 1992 (42 U.S.C. 5106a note; Public Law 102-295) is amended—

(1) by striking "on October 1, 1993, or", and

(2) by striking "whichever occurs first".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) take effect on September 30, 1993.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. MARTINEZ] will be recognized for 20 minutes and the gentleman from Wisconsin [Mr. GUNDERSON] will be recognized for 20 minutes.

The Chair recognizes the gentleman from California [Mr. MARTINEZ].

Mr. MARTINEZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, after the enactment of the 1992 reauthorization of the Older Americans Act of 1965, we discovered a need to make technical and conforming changes. These amendments address matters of punctuation, grammar, and citation in the Older Americans Act, as well as the child care development block grant of 1990 and the community services block grant.

Through discussions with the Department of Health and Human Services and because of the delayed enactment of the Older Americans Act Amendments of 1992, we found that successful implementation of changes in the act warranted modest delays and extensions in the application of certain provisions.

In addition, at the request of the administration, the status of the Commissioner on Aging was changed to that of Assistant Secretary for Aging. Given that the fastest growing segment of the population in the United States is that over the age of 60, a long-term strategy will need to be in place to address aging issues. A key component of this process will be to elevate the status of aging services beginning with the Assistant Secretary for Aging.

H.R. 3161, as amended, makes technical changes to the Community Services Block Grant Act, the Child Abuse Prevention and Treatment Act, and the Native Americans Programs Act of 1974. These changes primarily affect the timing of duties and responsibilities under those acts in response to practical concerns raised in implementing provisions of law.

Finally, Mr. Speaker, I would like to thank the gentleman from Michigan [Mr. FORD], the chairman of the Committee on Education and Labor, for his support, and the ranking minority member of the Subcommittee on Human Resources, the gentlewoman from New York [Ms. MOLINARI] who is an original cosponsor of H.R. 3161.

Mr. Speaker, I reserve the balance of my time.

Mr. GUNDERSON, Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to thank the gentleman from California [Mr. MARTINEZ], as well as my Republican colleague, the gentlewoman from New York [Ms. MOLINARI], for their efforts to bring H.R. 3161, the Older Americans Act Technical Amendments Act of 1993 to the floor today. All of us in Congress have a responsibility to ensure that our laws are correct and accurate, and can be properly implemented. With this technical amendments bill, my colleagues have lived up to this responsibility with the utmost professionalism.

Beyond the grammatical and clarifying amendments, this bill also contains some noncontroversial practical changes. One of those changes is an extension of time for convening the White House Conference on Aging. This extension is needed because of delays caused, in part, by the late passage of last year's reauthorization bill and the change in administrations. I am glad to see that such an important conference will not be lost because of the built-in procrastination of our Government.

Mr. Speaker, we support this bipartisan, noncontroversial technical amendments bill and urge its speedy passage. No committee, especially the Committee on Education and Labor, ought ever to have laws on the books that are not grammatically perfect.

I have no requests for time, Mr. Speaker, and, therefore, I yield back the balance of my time.

Mr. MARTINEZ. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. MARTINEZ] that the House suspend the rules and pass the bill, H.R. 3161, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended, and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MARTINEZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and to include extraneous materials, on H.R. 3161, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

GUS YATRON FEDERAL POSTAL FACILITY

Miss COLLINS of Michigan. Mr. Speaker, I move to suspend the rules

and pass the bill (H.R. 3197) to redesignate the Post Office building located at 13th and Rockland Streets in Reading, PA, as the "Gus Yatron Federal Postal Facility," as amended.

The Clerk read as follows:

H.R. 3197

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REDESIGNATION.

The postal facility located at 2100 North 13th Street in Reading, Pennsylvania, and known as the Reading General Mail Facility, shall be known and designated as the "Gus Yatron Postal Facility".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the postal facility referred to in section 1 shall be deemed to be a reference to the Gus Yatron Postal Facility.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Michigan [Miss COLLINS] will be recognized for 20 minutes and the gentleman from New York [Mr. BOEHLERT] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Michigan [Miss COLLINS].

Miss COLLINS of Michigan. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I support the passage of H.R. 3197, as amended, which would designate the postal facility located at 2100 North 13th Street in Reading, PA, as the "Gus Yatron Postal Facility."

Gus Yatron, a former Member of the House of Representatives, represented the Sixth District of Pennsylvania for 24 years. He spent his entire career in Congress on the Post Office and Civil Service Committee. Gus Yatron played an essential role in the decision to have the postal facility in Reading built. He was also a member of the Foreign Affairs Committee and was deeply involved in the United States-Mexico Interparliamentary Exchange Program.

Previous to serving in the House, Congressman Yatron served in the Pennsylvania State Senate, on the Reading School Board and worked as a small businessman and a professional boxer.

I am pleased to join Congressman HOLDEN and the citizens of Reading, PA, in their desire to rename the Reading General Mail Facility the "Gus Yatron Postal Facility," and I urge my colleagues to support the passage of H.R. 3197.

□ 1250

Mr. Speaker, I reserve the balance of my time.

Mr. BOEHLERT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of H.R. 3197 to designate the postal facility in Reading, PA, for my good friend and our former colleague, Gus Yatron.

Gus is a unique individual, who served in this body from 1968 until Jan-

uary of this year. He spoke and presented papers on human rights and democracy before the European Parliament many times during his congressional career and he also served as chairman of the annual United States-Mexican Interparliamentary Conference from 1980 until his retirement from the Congress.

I am advised that Congressman Yatron represented his congressional district, which included Reading, longer than any Representative to the Congress in history and I believe it would be more than fitting to honor this fine man and great legislator in this manner. I urge my colleagues to join me supporting H.R. 3197.

Mr. Speaker, I reserve the balance of my time.

Miss COLLINS of Michigan. Mr. Speaker, I yield such time as he may consume to my colleague, the gentleman from Pennsylvania [Mr. HOLDEN].

Mr. HOLDEN. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, I rise as a proud sponsor of H.R. 3197, which will rename the general mail facility in the city of Reading, PA, the "Gus Yatron Postal Facility," named in honor of my predecessor.

As my colleague, the gentleman from New York [Mr. BOEHLERT], and my colleague, the gentlewoman from Michigan [Miss COLLINS], have said, Congressman Yatron served in this body for 25 years with honor and with distinction. During his tenure in the U.S. Congress, Congressman Yatron served on the Foreign Affairs Committee, where he was recognized internationally for his work in human rights.

Congressman Yatron also served on the Committee on Post Office and Civil Service, where he served with distinction. Congressman Yatron has always been known as a friend of the postal workers of this country and of the Commonwealth of Pennsylvania and of the Sixth District of Pennsylvania. I think it is only fitting and proper for the U.S. Congress to take this opportunity to rename the facility in Reading, PA, after your former colleague and my predecessor, the Honorable Gus Yatron, who served with distinction and honor in this Chamber, who was loved and adored by all citizens of the Commonwealth of Pennsylvania and the Sixth District of Pennsylvania, and especially by the citizens of Reading.

I want to take this opportunity to wish my predecessor a long and healthy retirement with his family, his wife, Millie, and his children, Thiena and George. I will relay to my colleague when I have the opportunity and when I will speak to him later today, that I have talked with many Members of this body in the last couple of days as this bill was coming to the floor, and that everyone is thrilled and

honored to have this opportunity to rename this facility after the Honorable Gus Yatron.

Mr. BOEHLERT. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Speaker, I thank the gentleman from New York for yielding me this time.

I, too, want to rise in favor of this bill and point out that this is an honor well deserved for Gus Yatron. I do not imagine that there was a better-linked member of the Pennsylvania delegation during the time Gus Yatron served in this body. He was somebody Members enjoyed talking with because he was the kind of guy who always had a kind of unique view of issues, and he was somebody who did, as my colleague said before me, serve with distinction.

He was particularly known for the work he did in the foreign affairs area, and sometimes that was not the easiest thing to carry forward in his district back home, because it does not necessarily focus on foreign affairs efforts. Yet Gus always handled it very well. He explained why it was he was doing the kind of things he was doing to help lead the Nation and help develop some particular policies during a particularly turbulent time.

I was pleased to serve and share a county with Gus during the time he served here, and I think it is entirely appropriate that he should be honored by having a postal facility named in his honor, and I certainly endorse the legislation before us.

Mr. BOEHLERT. Mr. Speaker, I want to thank my colleague, the gentleman from Pennsylvania [Mr. WALKER] for those eloquent remarks.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. GILMAN. Mr. Speaker, I am pleased to have supported H.R. 3197, a bill that pays tribute to an outstanding legislator, and dedicated public servant, the Honorable Gus Yatron, of Reading PA.

Congressman Yatron served over two decades as the Representative of Pennsylvania's Sixth Congressional District. Mr. Yatron was a dedicated and diligent legislator who worked tirelessly for the residents of his district and the entire Nation. Gus sat with me on the House Foreign Affairs Committee, Post Office and Civil Service Committee, and was chairman of the House Subcommittee on Human Rights and International Organizations.

After graduating from Kutztown State University in 1950, Gus helped manage the family ice cream manufacturing business. Early on, he attained local fame as the boxing champion in Reading. Gus began his political career in 1956 when he was elected to the Pennsylvania House of Representatives, and later served an 8-year term in the State senate.

For 24 years Gus played a vital role in the U.S. House of Representatives. His leadership, and expertise as the chairman of the Subcommittee on Human Rights and Inter-

national Organizations was self-evident. He placed human rights concerns at the center of U.S. foreign policy, and put national interests above party politics.

Mr. Speaker, when Gus retired from the 102d Congress, we lost a valuable colleague and an outstanding legislator.

Accordingly, I urged all of my colleagues to support H.R. 3197, which designated a U.S. postal facility in Reading PA, as the "Gus Yatron Federal Postal Facility." This dedication will remain a lasting tribute to a truly great legislator.

Miss COLLINS of Michigan. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MONTGOMERY). The question is on the motion offered by the gentlewoman from Michigan [Miss COLLINS] that the House suspend the rules and pass the bill, H.R. 3197, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to redesignate the postal facility located at 2100 North 13th Street in Reading, Pennsylvania, as the 'Gus Yatron Postal Facility'."

A motion to reconsider was laid on the table.

GEORGE W. YOUNG POST OFFICE

Miss COLLINS of Michigan. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3285) to redesignate the postal facility located at 1401 West Fort Street, Detroit, MI, as the "George W. Young Post Office."

The Clerk read as follows:

H.R. 3285

SECTION 1. REDESIGNATION.

The postal facility located at 1401 West Fort Street, in Detroit, Michigan, shall be known and designated as the "George W. Young Post Office."

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the postal facility referred to in section 1 shall be deemed to be a reference to the "George W. Young Post office."

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Michigan [Miss COLLINS] will be recognized for 20 minutes and the gentleman from New York [Mr. BOEHLERT] will be recognized for 20 minutes.

The Chair recognizes the gentlewoman from Michigan [Miss COLLINS].

Miss COLLINS of Michigan. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I am delighted to sponsor and support the passage of H.R. 3285, which would designate the postal facility located at 1401 West Fort Street, Detroit, MI, as the "George W. Young Post Office."

George W. Young diligently served as a dedicated employee of the Detroit Postal Service for more than 20 years.

He began his employment with the Postal Service as a window clerk, before moving up to become Assistant Personnel Director, then Assistant Postmaster for the Detroit Regional Post Office, in the 1960's and 1970's.

As a former postal employee, I had the pleasure of serving under Mr. Young when he was the Assistant Postmaster for Detroit. George Young had a special way of listening to postal employees. His meetings with and attentiveness to postal employees, while touring the Detroit facility, regularly helped to ease the stress on those employees. He was a great and caring man.

He graduated as Class President from Detroit Miller High School in 1938. He graduated Magna Cum Laude from the University of Detroit in 1961. In addition, he graduated from the U.S. Army's Officer Candidate School, achieving the school's second highest test score, just below his brother, the Honorable Coleman A. Young, the current mayor of the city of Detroit.

Mr. Young was drafted in World War II and served in the Army Signal Corps, achieving the rank of captain. His widow, Mrs. Elizabeth Robinson with whom he had one son, Ronald Young; still resides in my district in Detroit.

I am pleased to join the entire Young family, as well as the citizens of Detroit, in their desire to rename the postal facility at 1401 West Fort Street the "George W. Young Post office," and I urge my colleagues to support the passage of H.R. 3285.

Mr. Speaker, I reserve the balance of my time.

Mr. BOEHLERT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to take this opportunity to rise in support of H.R. 3285, legislation reported from the Committee on Post Office and Civil Service to designate a postal facility in Detroit, MI, as the "George W. Young Post Office."

Mr. Speaker, the late Mr. Young, a brother of renowned Detroit Mayor Coleman Young, was a postal worker in Detroit for over 20 years. He began as a window clerk and ended his career there as the assistant postmaster for all of Detroit. A graduate of the University of Detroit and a veteran of the U.S. Army's Signal Corps in World War II, Mr. Young was truly an example to all of us and I would hope that with the support of my colleagues we will be able to honor his memory and his life in this fashion.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Miss COLLINS of Michigan. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Michigan [Miss COLLINS] that the House suspend the rules and pass the bill, H.R. 3285.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Miss COLLINS of Michigan. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and include extraneous matter, on the two bills just passed, H.R. 3197 and H.R. 3285.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

□ 1300

INTERMODAL SURFACE TRANSPORTATION TECHNICAL CORRECTIONS ACT

Mr. RAHALL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3276) to make technical corrections to title 23, United States Code, the Federal Transit Act, and the Intermodal Surface Transportation Efficiency Act of 1991, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3276

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the "Intermodal Surface Transportation Technical Corrections Act".

(b) **TABLE OF CONTENTS.**—

- Sec. 1. Short title; table of contents.
- Sec. 2. Secretary defined.

TITLE I—TITLE 23 PROGRAMS

- Sec. 101. Definitions.
- Sec. 102. References to Dwight D. Eisenhower System of Interstate and Defense Highways.
- Sec. 103. Federal-aid systems.
- Sec. 104. Apportionment.
- Sec. 105. Programs of projects.
- Sec. 106. Advance acquisition of rights-of-way.
- Sec. 107. Standards.
- Sec. 108. Letting of contracts.
- Sec. 109. Prevailing rate of wage.
- Sec. 110. Construction.
- Sec. 111. Advance construction.
- Sec. 112. Maintenance.
- Sec. 113. Certification acceptance.
- Sec. 114. Availability of funds.
- Sec. 115. Federal share.
- Sec. 116. Payment to States for construction.
- Sec. 117. Relocation of utility facilities.
- Sec. 118. Advances to States.
- Sec. 119. Emergency relief.
- Sec. 120. Applicability of axle weight limitations.
- Sec. 121. Toll roads.
- Sec. 122. Rail-highway crossings.
- Sec. 123. Surface transportation program.
- Sec. 124. Metropolitan planning.
- Sec. 125. Statewide planning.
- Sec. 126. Control of junkyards.
- Sec. 127. Nondiscrimination.

- Sec. 128. Enforcement of requirements.
- Sec. 129. Availability of rights-of-way.
- Sec. 130. Highway bridge program.
- Sec. 131. Great River Road.
- Sec. 132. Hazard elimination program.
- Sec. 133. Use of safety belts and motorcycle helmets.
- Sec. 134. National maximum speed limit.
- Sec. 135. Minimum allocation.
- Sec. 136. National minimum drinking age.
- Sec. 137. Revocation of drivers' licenses of individuals convicted of drug offenses.
- Sec. 138. Reimbursement for segments of interstate system constructed without Federal assistance.
- Sec. 139. Federal lands highway program.
- Sec. 140. Bicycle transportation and pedestrian walkway.
- Sec. 141. State highway department.
- Sec. 142. Management systems.
- Sec. 143. State planning and research.
- Sec. 144. Appropriation for highway purposes of Federal lands.
- Sec. 145. International highway transportation outreach program.
- Sec. 146. Highway safety programs.
- Sec. 147. National Highway Safety Advisory Committee.
- Sec. 148. Alcohol-impaired driving counter measures.
- Sec. 149. Public transit facilities.
- Sec. 150. Use of recycled paving material.
- Sec. 151. Work zone safety.
- Sec. 152. High cost bridge project.
- Sec. 153. Congestion relief project.
- Sec. 154. High priority corridors on National Highway System.
- Sec. 155. High priority corridor project.
- Sec. 156. Rural access projects.
- Sec. 157. Urban access and mobility projects.
- Sec. 158. Innovative projects.
- Sec. 159. Intermodal project.
- Sec. 160. Miscellaneous Intermodal Surface Transportation Efficiency Act amendments.
- Sec. 161. Disadvantaged business enterprise program.
- Sec. 162. Amendments to Surface Transportation and Uniform Relocation Assistance Act of 1987.
- Sec. 163. Freeway service patrols.
- Sec. 164. Pan American Highway.

TITLE II—FEDERAL TRANSIT PROGRAMS

- Sec. 201. Section 3 program amendments.
- Sec. 202. Metropolitan planning.
- Sec. 203. Formula grant program.
- Sec. 204. Mass transit account block grants.
- Sec. 205. Grants for research and training.
- Sec. 206. General provisions.
- Sec. 207. Period of availability and reapportionment of section 16 funds.
- Sec. 208. Rural transit program.
- Sec. 209. Nondiscrimination.
- Sec. 210. Authorizations.
- Sec. 211. Project management oversight.
- Sec. 212. Planning and research program.
- Sec. 213. Needs survey and transferability study.
- Sec. 214. State responsibility for rail fixed guideway system.
- Sec. 215. National Transit Institute.
- Sec. 216. Increased Federal share.
- Sec. 217. Performance reports on mass transit systems.
- Sec. 218. Miscellaneous multiyear contracts.
- Sec. 219. Cross reference to Federal Transit Act.

TITLE III—MISCELLANEOUS SURFACE TRANSPORTATION PROGRAMS

- Sec. 301. Participation in international registration plan and international fuel tax agreement.
- Sec. 302. Intelligent vehicle-highway systems.

- Sec. 303. Title 49, United States Code, amendments.
- Sec. 304. Surface Transportation Assistance Act of 1982 amendments.
- Sec. 305. Commercial Motor Vehicle Safety Act of 1986 amendments.
- Sec. 306. Cleveland Harbor, Ohio.
- Sec. 307. Surface Transportation and Uniform Relocation Assistance Act of 1987 amendments.
- Sec. 308. Intermodal Surface Transportation Efficiency Act Technical amendments.
- Sec. 309. Improved bus safety.

SEC. 2. SECRETARY DEFINED.

As used in this Act, the term "Secretary" means the Secretary of Transportation.

TITLE I—TITLE 23 PROGRAMS

SEC. 101. DEFINITIONS.

Section 101(a) of title 23, United States Code, is amended by striking the 1st undesignated paragraph of such section that relates to public lands highways.

SEC. 102. REFERENCES TO DWIGHT D. EISENHOWER SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS.

(a) **DECLARATION OF POLICY.**—Section 2 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1914-1915) is amended—

(1) in the 3d undesignated paragraph by striking "National System of" and inserting "Dwight D. Eisenhower System of"; and

(2) in the 7th undesignated paragraph by striking "Interstate and Defense Highway System" and inserting "Dwight D. Eisenhower System of Interstate and Defense Highways".

(b) **COMPLETION OF INTERSTATE SYSTEM.**—Section 1001 of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 104 note; 105 Stat. 1915-1916) is amended in each of subsections (a) and (b) by striking "National".

(c) **DEFINITION OF INTERSTATE SYSTEM IN TITLE 23.**—The undesignated paragraph of section 101(a) of title 23, United States Code, relating to the Interstate System, is amended by striking "National".

(d) **CONFORMING AMENDMENT TO VEHICLE WEIGHT LIMITATIONS.**—Section 127(a) of title 23, United States Code, is amended by striking "National" each place it appears and inserting "Dwight D. Eisenhower".

(e) **VEHICLE LENGTH RESTRICTION.**—Section 411(j) of the Surface Transportation Assistance Act of 1982 (49 U.S.C. App. 2311(j)) is amended in each of paragraphs (1), (5)(D), and (6)(A) by striking "National" and inserting "Dwight D. Eisenhower".

(f) **LONGER COMBINATION VEHICLE DEFINED.**—Section 4007(f) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2153) is amended by striking "National" and inserting "Dwight D. Eisenhower".

(g) **COMMEMORATION.**—Section 6012 of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 101 note; 105 Stat. 2180-2181) is amended—

(1) in the section heading by striking "NATIONAL"; and

(2) in subsection (a) by striking "National".

SEC. 103. FEDERAL-AID SYSTEMS.

(a) **NATIONAL HIGHWAY SYSTEM.**—Section 103(b)(4) of title 23, United States Code, is amended by inserting "and all corridors identified in section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991" after "by the States".

(b) **INTERSTATE SYSTEM.**—Section 103(e)(1) of such title is amended by striking the next to the last sentence.

(c) **SUBSTITUTE PROJECTS.**—Section 103(e)(4) of such title is amended—

(1) in the last sentence of subparagraph (B) by striking "projects on the Federal-aid secondary system" and inserting "surface transportation program projects";

(2) in subparagraph (G) by inserting "and" before "\$240,000,000"; and

(3) in subparagraph (J)(i) by inserting a comma after "October 1, 1991".

SEC. 104. APPORTIONMENT.

(a) SET-ASIDE.—Section 104(a) of title 23, United States Code, is amended—

(1) by striking "for the Federal-aid systems" and inserting "for this chapter"; and

(2) by striking "upon the Federal-aid systems" and inserting "under this chapter".

(b) CROSS REFERENCE TO INTERSTATE CONSTRUCTION PERIOD OF AVAILABILITY.—Section 104(b)(5)(A) of such title is amended by striking "118(b)(2)" and inserting "118(b)(1)".

(c) TECHNICAL AMENDMENT.—Section 104(b)(5)(B) of such title is amended by striking the comma following "1984" each place it appears.

(d) REPEAL OF URBAN SYSTEM APPORTIONMENT.—Section 104(b)(6) of such title is repealed.

(e) PLANNING SET ASIDE.—Section 104(f)(3) of such title is amended by striking "(j)".

(f) TRANSFERABILITY AMONG SAFETY AND BRIDGE PROGRAMS.—Section 104(g) of such title is amended by striking "Not more than" and all that follows through "any other of such sections" the second place it appears and inserting the following: "Not more than 40 percent of the amount which is apportioned in any fiscal year to each State under section 144 or which is reserved for such fiscal year under section 133(d)(1) only for carrying out section 130 or 152 may be transferred from the apportionment under section 144 or one of the reservations under section 133(d)(1) to the apportionment or reservation under such other section if such a transfer is requested by the State highway department and is approved by the Secretary as being in the public interest. The Secretary may approve the transfer of 100 percent of the apportionment under section 144 or one of the reservations under section 133(d)(1) to the apportionment or reservation under such other section".

SEC. 105. PROGRAMS OF PROJECTS.

(a) REPEAL OF REQUIREMENT.—Section 105 of title 23, United States Code, and the item relating to such section in the analysis for chapter 1 of such title are each repealed.

(b) CONFORMING AMENDMENTS.—Section 106(a) of such title is amended—

(1) by striking "as soon as practicable after program approval"; and

(2) by striking "included in an approved program".

(c) PRIORITY FOR HIGH PRIORITY SEGMENTS OF CORRIDORS OF NATIONAL SIGNIFICANCE.—Section 1105(g)(7) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2036) is amended to read as follows:

"(7) PRIORITY FOR HIGH PRIORITY SEGMENTS OF CORRIDORS OF NATIONAL SIGNIFICANCE.—In selecting projects for inclusion in a plan or program under chapter 1 of title 23, United States Code, a State may give priority to high priority segments of corridors identified under subsection (c) of this section."

SEC. 106. ADVANCE ACQUISITION OF RIGHTS-OF-WAY.

(a) INTERSTATE SYSTEM.—Section 107(a)(2) of title 23, United States Code, is amended by striking "subsection (c)" and inserting "subsection (a)".

(b) APPORTIONED FUNDS.—Section 108(a) of such title is amended—

(1) by striking "on any Federal-aid highway" and inserting "for any project eligible for assistance under this chapter";

(2) by striking "on such highway" and inserting "on such project"; and

(3) by striking "a road" and inserting "the project".

(c) RIGHT-OF-WAY REVOLVING FUND FUNDS.—Section 108(c) of such title is amended—

(1) in paragraph (2) by striking "highways and passenger transit facilities on any Federal-aid system" and inserting "any project eligible for assistance under this chapter"; and

(2) in paragraph (3) by striking "such project for the actual construction" and all that follows through "Secretary" the last place it appears and inserting "actual construction of such project on rights-of-way with respect to which funds are advanced under this subsection, whichever shall occur first, the right-of-way revolving fund shall be credited with an amount equal to the Federal share of the funds advanced, as provided in section 120 of this title, out of any funds apportioned under this chapter to the State in which such project is located and available for obligation for such projects and the State shall reimburse the Secretary".

(d) EARLY ACQUISITION.—Section 108(d)(2)(F) of such title is amended by striking "this Act" and inserting "this title".

SEC. 107. STANDARDS.

Section 109 of title 23, United States Code, is amended—

(1) in subsection (h) by striking "Federal-aid system" and inserting "Federal-aid highway"; and

(2) in subsection (q) by striking "under sections" and inserting "under section".

SEC. 108. LETTING OF CONTRACTS.

Section 112(f) of title 23, United States Code, relating to applicability to contracts for projects on the secondary system, is repealed.

SEC. 109. PREVAILING RATE OF WAGE.

Section 113 of title 23, United States Code, is amended—

(1) in subsection (a) by striking "highway projects on" and all that follows through "authorized under" and inserting "highway projects on Federal-aid highways authorized under";

(2) in subsection (a) by striking "upon the Federal-aid systems," and inserting "on Federal-aid highways,"; and

(3) in subsection (b) by striking "of the Federal-aid systems" and inserting "Federal-aid highway".

SEC. 110. CONSTRUCTION.

Section 114 of title 23, United States Code, is amended—

(1) in subsection (a) by striking "highways or portions of highways located on a Federal-aid system" and inserting "Federal-aid highway or portion thereof";

(2) in subsection (b)(1) by striking "highways or portions of highways located on a Federal-aid system" and inserting "a Federal-aid highway or portion thereof"; and

(3) in subsection (b)(3) by striking "highways or portions of highways located on a Federal-aid system" and inserting "any Federal-aid highway or portion thereof".

SEC. 111. ADVANCE CONSTRUCTION.

(a) TECHNICAL AMENDMENTS.—Section 115 of title 23, United States Code, is amended—

(1) in subsection (a)(2) by striking "PLANS, SPECIFICATIONS," and inserting "PROJECT APPROVAL"; and

(2) in subsection (c) by striking "134," and the second comma after "144".

(b) ADVANCED PLANNING.—Notwithstanding any other provision of law, upon application of a State, the Secretary shall pay to the State the Federal share of the cost of transportation planning carried out (including transportation planning carried out by metropolitan planning organizations), after September 30, 1991, and before December 18, 1991, in accordance with all procedures and all requirements applicable to such planning under title 23, United States Code. Such payment shall be made to the State from funds apportioned to the State under such title and available for carrying out transportation planning.

SEC. 112. MAINTENANCE.

Section 116 of title 23, United States Code, is amended—

(1) by inserting "highway" before "project" the first place it appears in each of subsections (a) and (c);

(2) in subsection (a) by striking "no longer constitutes a part of a Federal-aid system" and inserting "is no longer a Federal-aid highway"; and

(3) in subsection (b) by striking "the Federal-aid secondary system" and inserting "a Federal-aid highway".

SEC. 113. CERTIFICATION ACCEPTANCE.

Section 117 of title 23, United States Code, is amended—

(1) in subsection (e) by striking "2000(d)" and inserting "2000d"; and

(2) by striking subsection (f), relating to discharge of the Secretary's responsibilities with respect to the secondary system.

SEC. 114. AVAILABILITY OF FUNDS.

(a) PERIOD OF AVAILABILITY.—Section 118(b)(1) of title 23, United States Code, is amended—

(1) in the first sentence by striking "Interstate construction in a State" and inserting "completion of the Interstate System in a State"; and

(2) in the second sentence by inserting "for completion of the Interstate System" after "shall be allocated".

(b) SET ASIDE FOR INTERSTATE CONSTRUCTION PROJECTS.—Section 118(c)(1) of such title is amended by striking the period at the end of the first sentence and all that follows through the period at the end of the second sentence and inserting "for obligation at the discretion of the Secretary for projects to complete the Interstate System."

(c) SET-ASIDE FOR 4R PROJECTS.—Section 118(c)(2) of such title is amended by inserting "of" after "\$64,000,000 for each".

SEC. 115. FEDERAL SHARE.

(a) INTERSTATE SYSTEM PROJECTS.—Section 120(a) of title 23, United States Code, is amended by inserting before "including a project" the following: "including a project the cost for which is included in the 1991 interstate cost estimate and".

(b) SAFETY PROJECTS.—Section 120(c) of such title is amended by striking "for all the Federal-aid systems".

(c) EMERGENCY RELIEF.—The first sentence of section 120(e) of such title is amended—

(1) by striking "system, including" and inserting "including a highway on";

(2) by striking "on a project on such system";

(3) by striking "and (c)" and inserting "and (b)"; and

(4) by striking "90 days" and inserting "180 days".

(d) PLANNING PROJECTS.—Section 120 of such title is amended by adding at the end the following new subsection:

"(f) PLANNING PROJECTS.—The Federal share payable on account of any project to be carried out with funds set aside under section 104(f) of this title shall be 80 percent of the costs thereof unless the Secretary determines that the interest of the Federal-aid highway program would best be served by decreasing or eliminating the non-Federal share of such costs."

(e) CONFORMING AMENDMENT.—Section 208(2) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3338(2)) is amended by striking "section 120(a) of title 23, United States Code;"

SEC. 116. PAYMENT TO STATES FOR CONSTRUCTION.

Section 121 of title 23, United States Code, is amended—

(1) in subsection (b) by striking "After" and inserting "Except as otherwise provided in this title, after"; and

(2) in subsection (c) by striking "Federal-aid system" and inserting "Federal-aid highway".

SEC. 117. RELOCATION OF UTILITY FACILITIES.

Section 123(a) of title 23, United States Code, is amended—

(1) by striking "on any Federal-aid system" and inserting "eligible for assistance under this chapter"; and

(2) by striking the last sentence.

SEC. 118. ADVANCES TO STATES.

Section 124(a) of title 23, United States Code, is amended by striking "projects on any of the Federal-aid systems, including the Interstate System, he" and inserting "a project eligible for assistance under this title, the Secretary".

SEC. 119. EMERGENCY RELIEF.

(a) TECHNICAL AMENDMENT.—The first sentence of section 125(b) of title 23, United States Code, is amended by striking all preceding "Provided" and inserting the following: "The Secretary may expend funds from the emergency fund herein authorized for projects for repair or reconstruction on Federal-aid highways in accordance with the provisions of this chapter".

(b) CONFORMING AMENDMENTS.—Section 125(b) of such title is further amended—

(1) by striking "authorized" in the second sentence and all that follows through the period at the end of such sentence and inserting "authorized on Federal-aid highways"; and

(2) by striking "the Disaster Relief and Emergency Assistance Act (Public Law 93-288)" and inserting "The Robert T. Stafford Disaster Relief and Emergency Assistance Act".

SEC. 120. APPLICABILITY OF AXLE WEIGHT LIMITATIONS.

(a) WISCONSIN STATE ROUTE 78 AND UNITED STATES ROUTE 51.—Section 127 of title 23, United States Code, is amended by adding at the end the following new subsection:

"(f) OPERATION OF CERTAIN SPECIALIZED HAULING VEHICLES ON CERTAIN WISCONSIN HIGHWAYS.—If the 104-mile portion of Wisconsin State Route 78 and United States Route 51 between Interstate Route 94 near Portage, Wisconsin, and Wisconsin State Route 29 south of Wausau, Wisconsin, is designated as part of the Interstate System under section 139(a) of title 23, United States Code, the single axle, tandem axle, gross vehicle weight, and bridge formula limits set forth in subsection (a) shall not apply to the operation on such 104-mile portion of any vehicle which could legally operate on such 104-mile portion before the date of the enactment of this subsection."

(b) VEHICLE WEIGHT LIMITATIONS IN THE STATE OF OHIO.—

(1) REVIEW.—The Secretary of Transportation shall review the Federal and State commercial motor vehicle weight limitations applicable to Federal-aid highways in the State of Ohio.

(2) WAIVER AUTHORITY.—If the Secretary of Transportation determines, on the basis of the review conducted under paragraph (1), that it is in the public interest, the Secretary may waive application of the vehicle weight limitations of section 127(a) of title 23, United States Code, and of the State certification requirements of sections 141(b) and 141(c) of such title, in whole or in part, to highways on the Dwight D. Eisenhower System of Interstate and Defense Highways in the State of Ohio for short wheel-base vehicles for such period as the Secretary determines may be necessary to permit a reasonable period of depreciation for short wheel-base vehicles purchased before October 1, 1991.

(3) MORATORIUM ON WITHHOLDING OF FUNDS.—Until the Secretary of Transportation makes a determination relating to the public interest under paragraph (2), the Secretary shall not withhold funds under section 127(a) or 141(c) of title 23, United States Code, from apportionment to the State of Ohio for failure to comply with such section with respect to short wheel-base vehicles.

(c) TECHNICAL AMENDMENTS.—Section 127 of title 23, United States Code, is amended—

(1) in subsection (a) by striking "118(b)(1)" and inserting "118(b)(2)"; and

(2) in subsection (d)(1)(E) by striking "July 5, 1991" and inserting "July 6, 1991".

SEC. 121. TOLL ROADS.

(a) USE OF REVENUES.—Section 129(a)(3) of title 23, United States Code, is amended by striking "all toll revenues received" and all that follows through the period at the end of the first sentence and inserting the following: "toll revenues received from operation of the toll facility will be used for financing and any other obligations in respect of the facility, for reserves, for reasonable return to investors financing the project (as determined by the State), and for the costs necessary for the proper operation and maintenance of the toll facility, including reconstruction, resurfacing, restoration, and rehabilitation."

(b) REFERENCE TO FEDERAL-AID HIGHWAYS.—The last sentence of section 129(a)(4) of such title is amended by striking "the Federal-aid system" and inserting "Federal-aid highways".

(c) LOANS.—Section 129(a)(7) of such title is amended—

(1) by inserting "or commit to loan" after "loan" the first place it appears;

(2) by striking "agency" each place it appears and inserting "entity";

(3) by inserting after "constructing" the first place it appears "or proposing to construct";

(4) by striking "all Federal environmental requirements have been complied with and permits obtained" and inserting "the National Environmental Policy Act of 1969 has been complied with";

(5) by inserting "to a private entity" after "Any such loan";

(6) by inserting after the fifth sentence the following new sentence: "Any such loan to a public entity shall bear interest at such rate as the State determines appropriate."; and

(7) by striking "the time the loan was obligated" and inserting "the date of the initial funding of the loan".

(d) CONSTRUCTION OF FERRY BOATS AND FERRY TERMINAL FACILITIES.—Section 129 of such title is amended—

(1) in the first sentence of subsection (b) by striking "the route of which" and all that follows through the period at the end of such sentence and inserting "the route of which has been classified as a public road and has not been designated as a route on the Interstate System."; and

(2) in subsection (c)(4) by striking "and" preceding "repair".

(e) PILOT PROGRAM.—Section 129(d) of such title is amended—

(1) in each of paragraphs (1) and (3) by striking "7" and inserting "9";

(2) in paragraph (3) by striking "State of Pennsylvania" each place it appears and inserting "States of Pennsylvania and West Virginia"; and

(3) in paragraph (3) by inserting "the" before "State of Georgia".

(f) TREATMENT OF CENTENNIAL BRIDGE, ROCK ISLAND, ILLINOIS, AGREEMENT.—For purposes of section 129(a)(6) of title 23, United States Code, the agreement concerning the Centennial Bridge, Rock Island, Illinois, entered into under the Act entitled "An Act authorizing the city of Rock Island, Illinois, or its assigns, to construct, maintain, and operate a toll bridge across the Mississippi River at or near Rock Island, Illinois, and to a place at or near the city of Davenport, Iowa", approved March 18, 1938 (52 Stat. 110), shall be treated as if such agreement had been entered into under section 129 of title 23, United States Code, as in effect on December 17, 1991, and may be modified accordingly.

(g) TREATMENT OF I-95 AND PENNSYLVANIA TURNPIKE.—For purposes of section 129 of title 23, United States Code, the project for construction of an interchange between Interstate Route 95 and the Pennsylvania Turnpike shall be treated as a reconstruction project described in section 129(a)(1)(B) of such title.

SEC. 122. RAIL-HIGHWAY CROSSINGS.

Section 130 of title 23, United States Code, is amended—

(1) in subsection (a) by striking "Except as provided in subsection (d) of" and inserting "Subject to";

(2) in subsection (a) by striking "entire" each place it appears;

(3) in subsection (a) by striking "except as provided in subsection (d) of" and inserting "subject to";

(4) in subsection (e) by striking "authorized for and";

(5) in subsection (e) by striking the last sentence;

(6) by striking subsection (f) and redesignating subsections (g) and (h) as subsections (f) and (g), respectively; and

(7) in subsection (f) as so redesignated by striking "railroad highway" and inserting "railroad-highway".

SEC. 123. SURFACE TRANSPORTATION PROGRAM.

(a) STATE CERTIFICATION.—Section 133 of title 23, United States Code, is amended—

(1) in subsection (c) by striking "subsections (b) (3) and (4)" and inserting "subsections (b)(3) and (b)(4)";

(2) in subsection (d)(3)(B) by striking "tobe" and inserting "to be"; and

(3) in subsection (e)(2) by inserting after "each State" the following: "or the designated transportation authority of the State".

(b) TECHNICAL AMENDMENT.—Section 1007(b)(1) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1930) is amended—

(1) by striking "104(b)(3)" and inserting "104(b)"; and

(2) by striking "to read as follows" and inserting "by inserting after paragraph (2) the following new paragraph".

SEC. 124. METROPOLITAN PLANNING.

(a) TECHNICAL AMENDMENTS.—Section 134 of title 23, United States Code, is amended—

(1) in each of subsections (b)(2), (b)(3), and (h)(4) by striking "the date of the enactment of this section" and inserting "December 18, 1991";

(2) in each of subsections (b)(3)(B) and (g)(2)(B) by striking "long-range" and inserting "long range";

(3) in subsection (f)(11) by inserting "passengers and" before "freight";

(4) in subsection (g)(5) by redesignating subparagraphs (i) and (ii) as subparagraphs (A) and (B); and

(5) in subsection (k) by striking "the Federal-Aid Highway Act of 1991" and inserting "this title".

(b) FACTORS TO BE CONSIDERED.—Section 134(f) of such title is amended by adding at the end the following new paragraph:

"(16) Recreational travel and tourism."

(c) TRANSFER OF FUNDS.—Section 134(k) of such title is amended by striking the last sentence.

(d) CONFORMING CHAPTER ANALYSIS AMENDMENT.—The analysis for chapter I of such title is amended by striking

"134. Transportation planning in certain urban areas."

and inserting

"134. Metropolitan planning."

SEC. 125. STATEWIDE PLANNING.

Section 135 of title 23, United States Code, is amended—

(1) in subsection (c) by striking paragraph (1) and inserting the following new paragraph:

"(1) The transportation needs identified through use of the management systems required by section 303 of this title.";

(2) in subsection (c)(5) by inserting after "nonmetropolitan areas" the following: "including the identification of a rural priority local road and bridge system,";

(3) in subsection (c) by striking paragraph (15) and redesignating paragraphs (16) through (20) as paragraphs (15) through (19), respectively;

(4) in subsection (c)(18), as so redesignated, by striking "commercial motor vehicles" and inserting "passengers and freight";

(5) in subsection (d)(3) by striking "concerns" and inserting "transportation needs";

(6) in each of subsections (e) and (f)(1) by inserting "Indian tribal governments," after "private providers of transportation,"; and

(7) in subsection (h)—

(A) by striking "United States Code," and inserting "other Federal laws, and";

(B) by striking "this Act" and inserting "this title"; and

(C) by striking "or section 8 of such Act," and inserting "of this title, or section 8 of the Federal Transit Act,".

SEC. 126. CONTROL OF JUNKYARDS.

(a) STRICTER STATE STANDARDS.—Section 136(l) of title 23, United States Code, is amended by striking "the Federal-aid highway systems" and inserting "Federal-aid highways".

(b) PRIMARY SYSTEM DEFINED.—Section 136 of such title is amended by adding at the end the following new subsection:

"(n) PRIMARY SYSTEM DEFINED.—For purposes of this section, the term 'primary system' means the Federal-aid primary system in existence on June 1, 1991, and any highway which is not on such system but which is on the National Highway System."

SEC. 127. NONDISCRIMINATION.

(a) STATE ASSURANCES.—Section 140(a) of title 23, United States Code, is amended by striking "any of the Federal-aid systems" and inserting "Federal-aid highways".

(b) TRAINING.—Section 140(b) of such title is amended—

(1) by inserting "operator of a Youth Corps center," after "nonprofit,";

(2) by striking "for the surface transportation program"; and

(3) by striking "the bridge program".

SEC. 128. ENFORCEMENT OF REQUIREMENTS.

Section 141(b) of title 23, United States Code, is amended by striking "the Federal-aid primary system" and all that follows through "including" and inserting "Federal-aid highways, including highways on".

SEC. 129. AVAILABILITY OF RIGHTS-OF-WAY.

Section 142 of title 23, United States Code, is amended—

(1) in subsection (a)(2) by striking "the surface" and inserting "surface"; and

(2) in subsection (f) by striking "exists" and inserting "exists".

SEC. 130. HIGHWAY BRIDGE PROGRAM.

(a) SET ASIDES.—Section 144(g) of title 23, United States Code, is amended—

(1) in paragraph (1) by striking "103" and inserting "1003";

(2) in paragraph (3) by striking "OFF-SYSTEM BRIDGES" and inserting "BRIDGES NOT ON FEDERAL-AID HIGHWAYS";

(3) in paragraph (3) by striking "other than those on a Federal-aid system" and inserting "that are functionally classified as local or rural minor collectors"; and

(4) in paragraph (3) by striking "bridges not on a Federal-aid system" and inserting "such bridges".

(b) CROSS REFERENCE.—Section 144(i) of such title is amended by striking "307(e)" and inserting "307(h)".

(c) CONTINUATION OF EXISTING BRIDGE APPORTIONMENT CRITERIA.—The criteria for apportionment of funds used by the Department of Transportation under section 144 of title 23, United States Code, as in effect on September 30, 1991, shall remain in effect until September 30, 1997, or until changed by law, whichever occurs first.

SEC. 131. GREAT RIVER ROAD.

Section 148(a)(1) of title 23, United States Code, is amended by striking "centers of the State" and inserting "centers of the States".

SEC. 132. HAZARD ELIMINATION PROGRAM.

Section 152 of title 23, United States Code, is amended—

(1) in subsection (c) by striking "authorized" and inserting "available"; and

(2) by striking subsections (d) and (e) and redesignating subsections (f), (g), and (h) as subsections (d), (e), and (f), respectively.

SEC. 133. USE OF SAFETY BELTS AND MOTORCYCLE HELMETS.

(a) REFERENCE TO DATE OF ENACTMENT.—Section 153 of title 23, United States Code, is amended—

(1) in subsection (c) by striking "the date of the enactment of this section" and inserting "December 31, 1991"; and

(2) in subsection (i)(3) by striking "the date of the enactment of this section" and inserting "December 31, 1991".

(b) ELIGIBILITY FOR GRANTS.—Section 153(f)(2) of such title is amended by striking "at all times" each place it appears.

(c) PENALTIES.—Section 153(h) of such title is amended—

(1) in paragraph (1) by striking "at any time in" and inserting "by the last day of";

(2) in paragraph (2) by inserting "by the last day of fiscal year 1995 or" after "If,";

(3) in paragraph (2) by striking "1994," and inserting "1995,"; and

(4) in paragraph (4)(A) by striking "under section 402" and inserting "by this subsection".

(d) DEFINITIONS.—Section 153(i) of such title is amended by adding at the end the following new paragraph:

"(5) STATE.—The term 'State' has the meaning such term has under chapter 4 of this title."

SEC. 134. NATIONAL MAXIMUM SPEED LIMIT.

(a) EXISTING PROGRAM.—Section 154(a)(1) of title 23, United States Code, is amended by striking "on the Interstate System" and all that follows through "or more" and inserting "described in clause (2) or (3) of this subsection".

(b) NEW PROGRAM.—Section 1029 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1968-1970) is amended—

(1) in subsection (c)(1)(A) by inserting "of a State" after "apportionments";

(2) in subsection (c)(1)(A) by striking "if a State" and inserting "to the apportionment of the State under section 402 of such title if the State";

(3) in subsection (c) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(4) by inserting after paragraph (1) of subsection (c) the following new paragraph:

"(2) LIMITATION ON USE OF FUNDS.—

"(A) GENERAL RULE.—A State must obligate at least 50 percent of its funds transferred pursuant to this subsection for a fiscal year for speed limit enforcement and public information and education.

"(B) WAIVER.—Upon request of a State, the Secretary may waive the requirement of subparagraph (A) for any fiscal year if in the preceding fiscal year the State was in compliance with the speed limit requirements established pursuant to paragraph (1)."

SEC. 135. MINIMUM ALLOCATION.

Section 157 of title 23, United States Code, is amended—

(1) in subsection (a)(2) by striking "118(b)(2)" and inserting "118(b)(1)";

(2) in subsection (a)(3)(A) by striking "year 1989" and inserting "years 1989"; and

(3) by striking subsection (c) and redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

SEC. 136. NATIONAL MINIMUM DRINKING AGE.

Section 158 of title 23, United States Code, is amended—

(1) in subsection (a) by striking "104(b)(5), and 104(b)(6)" each place it appears and inserting "104(b)(3), and 104(b)(5)";

(2) in subsection (b)(1)(A)(iii) by striking "104(b)(6)" and inserting "104(b)(3)";

(3) in subsection (b)(3)(B) by striking "104(b)(5)(B), or 104(b)(6)" and inserting "104(b)(3), or 104(b)(5)(B)"; and

(4) in each of subsections (b)(3) and (b)(4) by striking "118(b)" and inserting "118".

SEC. 137. REVOCATION OF DRIVERS' LICENSES OF INDIVIDUALS CONVICTED OF DRUG OFFENSES.

Section 159 of title 23, United States Code, is amended in each of subsections (b)(3) and (b)(4) by striking "118(b)" and inserting "118".

SEC. 138. REIMBURSEMENT FOR SEGMENTS OF INTERSTATE SYSTEM CONSTRUCTED WITHOUT FEDERAL ASSISTANCE.

Section 160 of title 23, United States Code, is amended—

(1) in subsection (b) by striking "The amount" and inserting "Subject to subsection (g), the amount"; and

(2) by adding at the end the following new subsection:

"(g) PUERTO RICO.—Notwithstanding any other provision of this section, Puerto Rico shall receive in a fiscal year 1/2 of 1 percent of the amounts appropriated pursuant to subsection (f) for such fiscal year. No State (including the District of Columbia) which has a reimbursement percentage in the table contained in subsection (c) of 0.50 shall have its reimbursement amount in fiscal years 1996 and 1997 reduced as a result of the enactment of the preceding sentence."

SEC. 139. FEDERAL LANDS HIGHWAY PROGRAM.

(a) PUBLIC LANDS HIGHWAYS ALLOCATION.—Section 202(b) of title 23, United States Code, is amended by striking "66 percent of the remainder" and inserting "the remaining 66 percent".

(b) AVAILABILITY OF FUNDS.—Section 203 of such title is amended by striking the comma preceding "forest development" each place it appears.

(c) PURPOSES FOR WHICH FUNDS MAY BE USED.—Section 204(b) of such title is amended—

(1) by striking "construction and improvement" each place it appears and inserting "planning, research, engineering, and construction"; and

(2) by striking "construction or improvement" and inserting "planning, research, engineering, or construction".

(d) APPROVAL OF INDIAN RESERVATION ROAD PROJECTS.—Section 204(c) of such title is amended by inserting "of" after "15 percent".

(e) OBLIGATION OF FUNDS.—Section 204 of such title is amended by adding at the end the following new subsection:

"(k) OBLIGATION OF FUNDS.—Notwithstanding any other provision of law, funds available for Federal lands highway programs shall be treated as obligated if—

"(1) the Secretary authorizes engineering and related work for a particular project; or

"(2) the Secretary approves plans, specifications, and estimates for procurement of construction under section 106 or 117 of this title."

(f) REFERENCE TO PARK ROADS.—Section 1003(a)(6)(C) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1919) is amended—

(1) by striking "HIGHWAYS" in the subparagraph heading and inserting "ROADS"; and

(2) by striking "highways" the place it appears preceding "\$69,000,000" and inserting "roads".

(g) **TECHNICAL AMENDMENT.**—Section 1032(b)(2) (A) of such Act (105 Stat. 1974) is amended by striking "improvements" and inserting "improvement".

SEC. 140. BICYCLE TRANSPORTATION AND PEDESTRIAN WALKWAY.

Section 217 of title 23, United States Code, is amended—

(1) in subsection (b) by inserting "pedestrian walkways and" before "bicycle transportation facilities";

(2) in subsection (f) by striking "and the Federal share" and all that follows through "80 percent";

(3) by redesignating subsection (j) as subsection (k); and

(4) by inserting after subsection (i) the following new subsection:

"(f) **INCLUSION OF PEDESTRIAN WALKWAYS AND BICYCLE TRANSPORTATION FACILITIES IN PLANNING.**—

"(1) **GENERAL RULE.**—The Secretary may not approve under this chapter a highway project for new construction or reconstruction within the boundaries of a State along which a pedestrian walkway or bicycle transportation facility is required to be included under the State's transportation improvement plan developed under section 135 unless such pedestrian walkway or bicycle transportation facility is part of such highway project.

"(2) **EXCEPTION.**—The Secretary does not have to approve a project for construction of a pedestrian walkway or bicycle transportation facility under paragraph (1)—

"(A) if the Secretary determines that such construction is not feasible or that use of the walkway or facility would pose a safety risk to pedestrians or bicyclists, as the case may be; or

"(B) the Secretary determines that there will be no substantial transportation or recreation benefit resulting from the project."

SEC. 141. STATE HIGHWAY DEPARTMENT.

Section 302(b) of title 23, United States Code, is amended by striking "on the Federal-aid secondary system, financed with secondary funds," and inserting "not on the National Highway System".

SEC. 142. MANAGEMENT SYSTEMS.

Section 303 of title 23, United States Code, is amended in each of subsections (a) and (b) by striking "1 year after the date of the enactment of this section" and inserting "December 18, 1992".

SEC. 143. STATE PLANNING AND RESEARCH.

Section 307 of title 23, United States Code, is amended—

(1) in subsection (c)(1) by striking "104" and inserting "104(b)";

(2) in subsection (e)(3)(C) by striking "climatic" and inserting "climatic";

(3) in subsection (e)(13) by striking the quotation marks preceding "\$35,000,000";

(4) in subsection (f)(2) by striking "section" the first place it appears and inserting "paragraph";

(5) in the heading to subsection (f)(3) by inserting "EARTHQUAKE" after "NATIONAL"; and

(6) in subsection (f)(3) by inserting "Earthquake" after "National".

SEC. 144. APPROPRIATION FOR HIGHWAY PURPOSES OF FEDERAL LANDS.

Section 317(d) of title 23, United States Code, is amended by striking "system" and inserting "highway".

SEC. 145. INTERNATIONAL HIGHWAY TRANSPORTATION OUTREACH PROGRAM.

Section 325(a)(5) of title 23, United States Code, is amended by striking "the date of the enactment of this section" and inserting "December 18, 1991".

SEC. 146. HIGHWAY SAFETY PROGRAMS.

(a) **ESTABLISHMENT OF PROGRAMS.**—Section 402(a) of title 23, United States Code, is amended—

(1) by striking "section 4007" and inserting "section 4004"; and

(2) by striking "performance criteria" and inserting "performance goals".

(b) **ADMINISTRATIVE REQUIREMENTS.**—Section 402(b) of such title is amended—

(1) in paragraph (1) by striking the period at the end of each of subparagraphs (A) and (B) and inserting a semicolon;

(2) in paragraph (1)(C) by inserting ", including Indian tribal governments," after "subdivisions of such State";

(3) in paragraph (1)(C) by striking the period at the end and inserting "and";

(4) by striking paragraph (1)(E); and

(5) by striking paragraphs (3) and (4) and redesignating paragraph (5) as paragraph (3).

(c) **APPORTIONMENT OF FUNDS.**—Section 402(c) of such title is amended by striking the 8th sentence.

(d) **APPLICATION IN INDIAN COUNTRY.**—Section 402(i) of such title is amended to read as follows:

"(1) **APPLICATION IN INDIAN COUNTRY.**—

"(I) **IN GENERAL.**—For the purpose of the application of this section in Indian country, the terms 'State' and 'Governor of a State' include the Secretary of the Interior and the term 'political subdivision of a State' includes an Indian tribe. Notwithstanding the provisions of subsection (b)(1)(C), 95 percent of the funds transferred to the Secretary of the Interior under this section shall be expended by Indian tribes to carry out highway safety programs within their jurisdictions. The provisions of subsection (b)(1)(D) shall be applicable to Indian tribes, except to those tribes with respect to which the Secretary determines that application of such provisions would not be practicable.

"(2) **INDIAN COUNTRY DEFINED.**—For the purposes of this subsection, the term 'Indian country' means—

"(A) all land within the limits of any Indian reservation under the jurisdiction of the United States, notwithstanding the issuance of any patent, and including rights-of-way running through the reservation;

"(B) all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof and whether within or without the limits of a State; and

"(C) all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through such allotments."

(e) **RULEMAKING PROCESS.**—Section 402(j) of such title is amended to read as follows:

"(f) **RULEMAKING PROCESS.**—The Secretary may from time to time conduct a rulemaking process to determine those highway safety programs that are most effective in reducing traffic accidents, injuries, and deaths. Any rule under this subsection shall be promulgated taking into account consideration of the views of the States having a major role in establishing such programs. When a rule promulgated in accordance with this subsection takes effect, only those programs established by such rule as most effective in reducing traffic accidents, injuries, and deaths shall be eligible to receive Federal financial assistance under this section."

(f) **RECORDKEEPING SYSTEM.**—Section 402 of such title is amended by striking subsection (k).

SEC. 147. NATIONAL HIGHWAY SAFETY ADVISORY COMMITTEE.

Section 404(d) of title 23, United States Code, is amended by striking "Commerce" and inserting "Transportation".

SEC. 148. ALCOHOL-IMPAIRED DRIVING COUNTER MEASURES.

Section 410(d)(1)(E) of title 23, United States Code, is amended by striking "the date of enact-

ment of this section" and inserting "December 18, 1991".

SEC. 149. PUBLIC TRANSIT FACILITIES.

Section 1023(h) of the Intermodal Surface Transportation Efficiency Act of 1991 is amended by striking "this Act" each place it appears and inserting "the Department of Transportation and Related Agencies Appropriations Act, 1993".

SEC. 150. USE OF RECYCLED PAVING MATERIAL.

Section 1038(e) of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 109 note) is amended—

(1) by striking "and" at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting "and"; and

(3) by adding at the end the following:

"(3) the term 'State' has the meaning such term has under section 101 of title 23, United States Code."

SEC. 151. WORK ZONE SAFETY.

Section 1051 of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 401 note) is amended—

(1) by inserting "technologies and services," after "appurtenances";

(2) by inserting "training," after "traffic control plans,"; and

(3) by adding at the end the following new sentence: "The Secretary shall annually review, and provide to State and local governments, information and recommendations concerning safety practices that can enhance safety at highway construction sites, including information relating to new safety technologies, services, traffic control plans, training, and work zone-related bidding practices."

SEC. 152. HIGH COST BRIDGE PROJECT.

The table contained in section 1103(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027-2028) is amended in item number 5, relating to Gloucester Point, Virginia, by inserting after "York River" the following: "and for repair; strengthening, and rehabilitation of the existing bridge".

SEC. 153. CONGESTION RELIEF PROJECT.

The table contained in section 1104(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2029-2031) is amended—

(1) in item number 10, relating to San Diego, California, by striking "1 block of Cut and Cover Tunnel on Rt. 15" and inserting "bridge decking on Route 15"; and

(2) in item number 43, relating to West Virginia, by striking "Coal Fields" and inserting "Coalfields".

SEC. 154. HIGH PRIORITY CORRIDORS ON NATIONAL HIGHWAY SYSTEM.

(a) **EAST-WEST TRANSAMERICA CORRIDOR.**—

Section 1105(c)(3) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2032) is amended by inserting before the period at the end the following: ", including (A) a Kentucky corridor centered on the cities of Paducah, Benton, Hopkinsville, Bowling Green, Columbia, Somerset, London, Hazard, Jenkins, and Pikeville, Kentucky, to Williamson, West Virginia, and (B) a West Virginia corridor from Williamson to the vicinity of Welch, West Virginia, sharing a common corridor with the Interstate Route I-73/74 corridor (referred to in item 12 of the table contained in subsection (f)), and from the vicinity of Welch to Beckley, West Virginia, as part of the Coalfields Expressway described in section 1069(v))."

(b) **INDIANAPOLIS TO HOUSTON CORRIDOR.**—

Section 1105(c)(18) of such Act (105 Stat. 2032) is amended by inserting before the period at the end the following: ", including a Kentucky corridor centered on the cities of Henderson, Sturgis, Smithland, Paducah, Bardwell, and Hickman, Kentucky".

SEC. 155. HIGH PRIORITY CORRIDOR PROJECT.

The table contained in section 1105(f) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2033-2035) is amended in item number 26, relating to Indiana, Kentucky, Tennessee, by striking "Newberry" and inserting "Evansville".

SEC. 156. RURAL ACCESS PROJECTS.

The table contained in section 1106(a)(2) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2037-2042) is amended—

(1) in item number 34, relating to Illinois, by striking "Resurfacing" and all that follows through "Omaha" and inserting "Bel-Air Road improvement from south of Carmi to State Route 141 in southeastern White County";

(2) in item number 52, relating to Bedford Springs, Pennsylvania, by striking "and Huntington" and inserting "Cambria, Franklin, and Huntingdon";

(3) in item number 61, relating to Lubbock, Texas, by striking "with" and inserting "with Interstate 10 through";

(4) in item number 75, relating to Pennsylvania, by striking "Widen" and all that follows through "lanes" and inserting "Road improvements on a 14-mile segment of U.S. Route 15 in Lycoming County, Pennsylvania";

(5) in item number 92, relating to Ohio, by striking "Minerva, Ohio" and insert "Lisbon, Ohio";

(6) in item number 93, relating to New Mexico, by striking "Raton-Clayton Rd., Clayton, New Mexico" and inserting "U.S. Rt. 64/87 from Raton, New Mexico, through Clayton to the Texas-New Mexico State line"; and

(7) in item number 111, relating to Parker County, Texas (SH199)—

(A) by striking "Parker County" and inserting "Parker and Tarrant Counties"; and

(B) by striking "to four" and inserting "in Tarrant County, to freeway standards and in Parker County to a 4-".

SEC. 157. URBAN ACCESS AND MOBILITY PROJECTS.

The table contained in section 1106(b)(2) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2043-2047) is amended—

(1) in item number 13, relating to Joliet, Illinois, by striking "and construction and interchange at Hoult Road and I-80"; and

(2) in item number 36, relating to Compton, California, by striking "For a grade" and all that follows through "Corridor" and inserting "For grade separations and other improvements in the city of Compton, California".

SEC. 158. INNOVATIVE PROJECTS.

The table contained in section 1107(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2048-2059) is amended—

(1) in item number 29, relating to Blacksburg, Virginia, by inserting "methods of facilitating public and private participation in" after "demonstrate";

(2) in item number 35, relating to Alabama, by striking "to bypass" and all that follows through "I-85" and inserting "beginning on U.S. Route 80 west of Montgomery, Alabama, and connecting to I-65 south of Montgomery and I-85 east of Montgomery";

(3) in item number 52, relating to Pennsylvania, by striking "off Interstate" and all that follows through "Mountaintop," and inserting "and highway improvements off Interstate 81 between Pittston and Hazleton";

(4) in item number 61, relating to Mojave, California, by striking "Mojave" and inserting "Victorville" and by inserting "Mojave" after "reconstruct";

(5) in item number 100, relating to Arkansas, by striking "Thornton" and inserting "Little Rock";

(6) in item number 113, relating to Durham County, North Carolina, by inserting after "Route 147" the following: "including the interchange at I-85"; and

(7) in item number 114, relating to Corpus Christi to Angleton, Texas, by striking "Construct new multi-lane freeway" and inserting "Construct a 4-lane divided highway".

SEC. 159. INTERMODAL PROJECT.

The table contained in section 1108(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2060-2063) is amended in item number 9, relating to E. Haven/Wallingford, Connecticut—

(1) by striking "\$8.8" and inserting "\$7.5";

(2) by striking "\$2.4" and inserting "\$2.0"; and

(3) by striking "\$0.7" and inserting "\$0.6".

SEC. 160. MISCELLANEOUS INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT AMENDMENTS.

(a) CROSS REFERENCE IN HIGHWAY USE TAX EVASION PROGRAM.—Section 1040(a) of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 101 note; 105 Stat. 1992) is amended by striking "(e)" and inserting "(f)".

(b) REPORT TO CONGRESS ON QUALITY IMPROVEMENT.—Section 1043(b) of such Act (105 Stat. 1993) is amended by inserting "General" after "Comptroller".

(c) PERIOD OF AVAILABILITY OF FUNDS FOR MISCELLANEOUS PROJECTS.—Section 1069 of such Act is amended—

(1) by striking the last sentence of subsection (y); and

(2) by adding at the end the following new subsection:

"(ii) PERIOD OF AVAILABILITY.—Funds provided to carry out this section shall remain available until expended."

(d) FINAL RULE FOR ROADSIDE BARRIERS AND SAFETY APPURTENANCES.—Section 1073(b) of such Act (105 Stat. 2012) is amended by striking "1 year" and inserting "2 years".

(e) INTERSTATE STUDY COMMISSION.—Section 1099 of such Act (105 Stat. 2026) is amended—

(1) by striking "bill" and inserting "Act";

(2) by striking "passage of this legislation" and inserting "the enactment of this Act";

(3) by inserting after "Columbia" the second place it appears the following: "appointed by the Governors of the States of Maryland and Virginia and the Mayor of the District of Columbia, respectively"; and

(4) by striking "appointed by the Governors and the Mayor" and inserting "1 each for Maryland, Virginia, and the District of Columbia appointed by the Governors and the Mayor, respectively".

(f) DRUG RECOGNITION EXPERT TRAINING PROGRAM.—Section 2006(b) of such Act (23 U.S.C. 403 note; 105 Stat. 2080) is amended by inserting "Federal" before "Advisory".

(g) APPLICABILITY OF OBLIGATION CEILING TO CERTAIN HIGHWAY SAFETY PROGRAMS.—Section 2009 of such Act (105 Stat. 2080) is amended—

(1) by striking "(a) IN GENERAL.—";

(2) by striking "211(b)" the first place it appears and inserting "211";

(3) by striking "102" and inserting "1002"; and

(4) by striking subsection (b).

SEC. 161. DISADVANTAGED BUSINESS ENTERPRISE PROGRAM.

In administering section 1003(b) of the Intermodal Surface Transportation Efficiency Act of 1991, the limitation on annual gross receipts of a small business concern set forth in paragraph (2)(A) of such section shall be the only limitation on annual gross receipts which applies to small business concerns.

SEC. 162. AMENDMENTS TO SURFACE TRANSPORTATION AND UNIFORM RELOCATION ASSISTANCE ACT OF 1987.

(a) NEW RIVER, WEST VIRGINIA.—Section 149(a)(62) of the Surface Transportation and

Uniform Relocation Assistance Act of 1987 (101 Stat. 191) is amended by striking "in the vicinity of" and inserting "on the west side of".

(b) BURBANK-GLENDALE-PASADENA AIRPORT, CALIFORNIA.—Section 149(a)(69) of such Act (101 Stat. 191) is amended—

(1) in the first sentence by striking "highway";

(2) in the first sentence by striking "and construction of terminal and parking facilities at such airport"; and

(3) by striking "by making" in the second sentence and all that follows through the period at the end of such sentence and inserting: "by preparing a feasibility study and conducting preliminary engineering, design, and construction of a link between such airport and the commuter rail system that is being developed by the Los Angeles County Metropolitan Transportation Authority."

SEC. 163. FREEWAY SERVICE PATROLS.

(a) GENERAL RULE.—Except to the extent that the Secretary shall find that it is not feasible, any funds expended in a fiscal year directly or indirectly for freeway service patrols from amounts made available to a State under titles I and III of the Intermodal Surface Transportation Efficiency Act of 1991 shall be expended with privately owned or privately operated business concerns. The preceding sentence shall not apply to any publicly owned or operated freeway service patrol that was in operation before the date of the enactment of this Act.

(b) DEFINITION.—For purposes of this section, the term "freeway service patrol" means automotive road service vehicles and automotive towing vehicles operated in a continuous, dedicated service as part of an incident management program.

SEC. 164. PAN AMERICAN HIGHWAY.

(a) STUDY.—The Secretary shall conduct a study on the adequacy of and the need for improvements to the Pan American Highway.

(b) ELEMENTS.—The study to be conducted under subsection (a) shall at a minimum include the following elements:

(1) Findings on the benefits of constructing a highway at Darien Gap, Panama and Colombia.

(2) Recommendations for a self-financing arrangement for completion and maintenance of the Pan American Highway.

(3) Recommendations for establishing a Pan American highway authority to monitor financing, construction, maintenance, and operations of the Pan American Highway.

(4) Findings on the benefits to trade and prosperity of a more efficient Pan American Highway.

(5) Findings on the benefits to United States industry through the use of United States technology and equipment in construction of improvements to the Pan American Highway.

(6) Findings on environmental considerations, including environmental considerations relating to the Darien Gap.

(c) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall transmit to Congress a report on the results of the study conducted under this section.

TITLE II—FEDERAL TRANSIT PROGRAMS**SEC. 201. SECTION 3 PROGRAM AMENDMENTS.**

(a) LETTERS OF INTENT.—Section 3(a)(4)(E) of the Federal Transit Act (49 U.S.C. App. 1602(a)(4)(E)) is amended—

(1) in the first sentence by striking "letters of intent" and all that follows through "shall not exceed the" and inserting "letters of intent, early systems work agreements, and full funding grant agreements shall not exceed the"; and

(2) in the second sentence by striking "new letters issued" and all that follows through "shall not exceed any" and inserting "new letters issued and contingent commitments included in early systems work agreements and full funding agreements shall not exceed any".

(b) **ASSURED TIMETABLE FOR FINAL DESIGN STAGE.**—Section 3(a)(6)(C) of the Federal Transit Act (49 U.S.C. App. 1602(a)(6)(C)) is amended by inserting before the period at the end the following: "or, if an environmental impact statement is not required for such project, the date of completion of an environmental assessment for such project or of a finding of no significant impact".

(c) **RAIL MODERNIZATION.**—Section 3(h) of such Act is amended in paragraph (6) by striking "paragraph" and inserting "subsection".

(d) **NONAPPLICABILITY.**—Section 3(i)(5)(C) of such Act is amended by striking "the Federal-Aid Highway Act of 1991" and inserting the following: "title 23, United States Code".

(e) **TRANSITIONAL PROVISION FOR PROGRAMS OF INTERRELATED PROJECTS.**—Section 3011(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (49 U.S.C. App. 1602 note; 105 Stat. 2098) is amended by inserting after "inter-related projects" the following: "but excluding any project for which a timetable for project review or for Federal funding is provided for by a provision of law other than section 3(a)(6) of the Federal Transit Act and for which such timetable is different than the timetable established by such section".

(f) **CONFORMING AMENDMENTS.**—Section 3007 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2091) is amended—

(1) in paragraph (5)(B) by striking the comma which precedes the closing quotation marks and the semicolon; and

(2) in paragraph (6) by striking the comma which precedes the closing quotation marks and the final period.

SEC. 202. METROPOLITAN PLANNING.

(a) **TECHNICAL AMENDMENTS.**—Section 8 of the Federal Transit Act (49 U.S.C. App. 1607) is amended—

(1) in subsection (f)(5) by inserting "of title 23, United States Code" after "133";

(2) in subsection (f)(9) by striking "of this title" and inserting "of such title";

(3) in subsection (f)(11) by inserting "passengers and" before "freight";

(4) in subsection (g)(5) by redesignating subparagraphs (i) and (ii) as subparagraphs (A) and (B), respectively;

(5) in subsection (i)(3) by striking "this title and the Federal Transit Act" and inserting "title 23, United States Code, and this Act";

(6) in subsection (i)(4) by striking "or pursuant to the Federal Transit" and inserting "or pursuant to this";

(7) in subsection (i)(5) by inserting "of title 23, United States Code," after "section 134";

(8) in subsection (i)(5) by inserting "of such title" after "104(b)(3)";

(9) in subsection (i)(5) by inserting "of such title" after "133(d)(3)" each place it appears;

(10) in subsection (i)(5) by striking "the Federal Transit" the first 2 places it appears and inserting "this";

(11) in subsection (i)(5) by striking "section 8(o) of the Federal Transit Act" and inserting "subsection (o) of this section";

(12) in subsection (m)(1) by striking "or the Federal Transit" and inserting "or this";

(13) in each of subsections (p)(2) and (p)(4) by striking "section 8" the first place it appears and inserting "this section";

(14) in subsection (p)(2) by striking "section 8 of this Act" and inserting "this section";

(15) in subsection (p)(3) by striking "subparagraph (B)" and inserting "paragraph (2)"; and

(16) in subsection (p)(5) by striking "paragraph" and inserting "section".

(b) **FACTORS TO BE CONSIDERED.**—Section 8(f) of such Act is amended by adding at the end the following new paragraph:

"(16) Recreational travel and tourism."

(c) **LONG RANGE PLAN.**—Section 8(g)(2)(B) of such Act is amended by striking "long-range" and inserting "long range".

(d) **TRANSFER OF FUNDS.**—Section 8(k) of such Act is amended by striking the last sentence.

(e) **NONATTAINMENT AREA REQUIREMENTS.**—Section 8(l) of such Act is amended by striking "transit" and inserting "highway".

SEC. 203. FORMULA GRANT PROGRAM.

(a) **TRANSIT SECURITY SYSTEMS.**—Section 9(e)(3) of the Federal Transit Act (49 U.S.C. App. 1607a(e)(3)) is amended by inserting before "and any other" in the last sentence the following: "employing law enforcement or security personnel in areas within or adjacent to such systems";

(b) **LIMITATION ON FUNDING OF OPERATING ASSISTANCE.**—Section 9(k)(2)(A) of such Act is amended by adding at the end the following new sentence: "If an urbanized area had a population under the 1980 decennial census of the United States of more than 1,000,000 and has a population under the 1990 decennial census of less than 1,000,000, the maximum percentage of funds which may be used for operating assistance for purposes of the first sentence shall be 90 percent of the amount of funds apportioned in fiscal year 1982 under such paragraphs (1)(A), (2)(A), and (3)(A) to such area.".

(c) **GRANDFATHER OF CERTAIN URBANIZED AREAS.**—Section 9(s)(2) of such Act is amended by striking "fiscal year 1993," and inserting "each of fiscal years 1993 and 1994,".

(d) **FERRYBOAT OPERATIONS.**—For purposes of calculating apportionments under section 9 of the Federal Transit Act for fiscal years beginning after September 30, 1993, 50 percent of the ferryboat revenue vehicle miles and 50 percent of the ferryboat route miles attributable to service provided to the city of Avalon, California, for which the operator receives public assistance shall be included in the calculation of "fixed guideway vehicle revenue miles" and "fixed guideway route miles" attributable to the Los Angeles urbanized area under sections 9(b)(2) and 15 of such Act.

SEC. 204. MASS TRANSIT ACCOUNT BLOCK GRANTS.

Section 9B(a) of the Federal Transit Act (49 U.S.C. App. 1607a-2(a)) is amended by striking "subsections (b) and (c) of".

SEC. 205. GRANTS FOR RESEARCH AND TRAINING.

(a) **NATIONAL CENTER.**—Section 11(b)(10)(A) of the Federal Transit Act (49 U.S.C. App. 1607c(b)(10)(A)) is amended by striking "technology" and inserting "Technology".

(b) **APPLICABILITY OF OBLIGATION CEILING TO FUNDING FOR UNIVERSITY TRANSPORTATION CENTERS.**—Section 11(b)(12) of such Act is amended by striking "102" and inserting "1002".

(c) **INTERNATIONAL INSTITUTE FOR SURFACE TRANSPORTATION POLICY STUDIES.**—Section 11(c) of such Act is amended—

(1) in the heading to paragraph (1) by striking "INSTITUTE FOR NATIONAL" and inserting "INTERNATIONAL INSTITUTE FOR";

(2) in paragraph (1) by striking "an institute for national" and inserting "an international institute for";

(3) in paragraph (3) by striking "through the Institute for Transportation Research and Education and" and inserting a comma;

(4) in paragraph (3) by inserting a comma after "South Florida"; and

(5) in paragraph (6) by striking "through the Institute for Transportation Research and Education".

SEC. 206. GENERAL PROVISIONS.

(a) **RAIL TRACKAGE RIGHTS AGREEMENTS.**—Section 12(c)(1) of the Federal Transit Act (49 U.S.C. App. 1608(c)(1)) is amended by inserting "payments for the capital portions of rail trackage rights agreements," after "rights-of-way,".

(b) **TECHNICAL AMENDMENT.**—The first sentence of section 12(f)(1) of such Act is amended by striking "such State of local" and inserting "such State or local".

(c) **TURNKEY SYSTEM PROJECT.**—Section 12(l) of such Act is amended—

(1) in paragraph (1)(C) by striking "is" and inserting "may be"; and

(2) in paragraph (3) by striking "the date of the enactment of this Act" and inserting "the date of the enactment of the Intermodal Surface Transportation Efficiency Act of 1991".

(d) **SALE OF CAPITAL ASSETS.**—Section 12 of such Act is further amended by adding at the end the following new subsection:

"(n) **SALE OF CAPITAL ASSETS.**—

"(1) **IN GENERAL.**—If a recipient of assistance under this Act determines that facilities and equipment and other assets (including land) acquired, in whole or in part, with such assistance are no longer needed for the purposes for which they were acquired, the Secretary shall authorize the sale of the assets with no further obligation to the Federal Government if the Secretary determines that—

"(A) there are no purposes eligible for assistance under this Act for which the asset should be used; and

"(B) the proceeds from the sale of the asset will be used by the recipient to procure items eligible for capital assistance under this Act.

"(2) **RELATIONSHIP TO OTHER LAWS.**—The provisions of this subsection shall be in addition to and not in lieu of any other provision of law governing use and disposition of facilities and equipment under an assistance agreement."

SEC. 207. PERIOD OF AVAILABILITY AND REAPPORTIONMENT OF SECTION 16 FUNDS.

Section 16 of the Federal Transit Act (49 U.S.C. App. 1612) is amended—

(1) in subsection (b) by inserting "and" after the semicolon at the end of paragraph (1);

(2) in subsection (b) by striking "and" at the end of paragraph (2) and inserting a period;

(3) in subsection (b) by striking paragraph (3) and inserting the following:

"Eligible capital expenses under this subsection may include, at the option of the recipient, the acquisition of transportation services under a contract, lease, or other arrangement.";

(4) in subsection (c)(4) by striking "the enactment of the Federal Transit Act" and inserting "the date of the enactment of the Intermodal Surface Transportation Efficiency Act of 1991";

(5) by adding at the end of subsection (c) the following new paragraph:

"(5) **PERIOD OF AVAILABILITY.**—Sums apportioned under this subsection shall be available for obligation by the State for a period of 2 years following the close of the fiscal year for which the sums are apportioned and any amounts remaining unobligated at the end of such period shall be reapportioned among the States for the succeeding fiscal year.";

(6) in subsection (e) by striking "handicapped and elderly individuals" and inserting "elderly persons and persons with disabilities"; and

(7) in subsection (e) by striking "such individuals" and inserting "such persons".

SEC. 208. RURAL TRANSIT PROGRAM.

The second sentence of section 18(a) of the Federal Transit Act (49 U.S.C. App. 1614(a)) is amended by striking the final period.

SEC. 209. NONDISCRIMINATION.

Section 19 of the Federal Transit Act (49 U.S.C. App. 1615) is amended—

(1) by striking "(1)" each place it appears;

(2) by redesignating paragraphs (2), (3), (4) and (5) as subsections (b), (c), (d), and (e), respectively;

(3) in subsection (c) as so redesignated—

(A) by striking "(A)" and inserting "(1)";

(B) by striking "(B)" and inserting "(2)";

(C) by striking "paragraph (a)" and inserting "paragraph (1)";

(D) by striking "(i)" and inserting "(A)";

(E) by striking "(ii)" and inserting "(B)";

(F) by striking "(iii)" and inserting "(C)"; and
 (G) by striking "(iv)" and inserting "(D)"; and
 (4) in subsection (d) as so redesignated by striking "(a)(3)(B)(ii)" and inserting "(c)(2)(B)".

SEC. 210. AUTHORIZATIONS.

(a) **FORMULA GRANT PROGRAM FROM TRUST FUND.**—Section 21(a)(1) of the Federal Transit Act (49 U.S.C. App. 1617(a)(1)) is amended—

(1) by striking "8 9B," and inserting "6, 8, 9B, 10,"; and
 (2) by inserting "20," after "18,".

(b) **FORMULA GRANT PROGRAM FROM GENERAL FUND.**—Section 21(a)(2) of such Act is amended—

(1) by striking "8 9," and inserting "6, 8, 9, 10,"; and
 (2) by inserting "20," after "18,".

(c) **SETASIDE FOR PLANNING, PROGRAMMING, AND RESEARCH.**—Section 21(c) of such Act is amended—

(1) by inserting "beginning after September 30, 1992," after "each fiscal year";

(2) by striking "or appropriated" each place it appears;

(3) in paragraph (3) by striking "the State program under"; and

(4) in paragraph (4) by striking "the national program under".

(d) **OTHER SETASIDES.**—Section 21(d) of such Act is amended by striking "or appropriated" each place it appears.

(e) **COMPLETION OF INTERSTATE TRANSFER TRANSIT PROJECTS.**—Section 21(e) of such Act is amended by striking "\$160,000,000" and all that follows through the period at the end and inserting "for fiscal years beginning after September 30, 1991, not to exceed \$324,843,000. Such sums shall remain available until expended.".

SEC. 211. PROJECT MANAGEMENT OVERSIGHT.

Section 23 of the Federal Transit Act (49 U.S.C. App. 1619) is amended—

(1) in subsection (a) by striking "or 18" and inserting "and 18"; and

(2) in subsection (h) by striking "subsections (a) (1) through (5)" and inserting "subsection (a)".

SEC. 212. PLANNING AND RESEARCH PROGRAM.

(a) **STATE PROGRAM.**—Section 26(a) of the Federal Transit Act (49 U.S.C. App. 1622(a)) is amended to read as follows:

"(a) **ALLOCATION OF PLANNING FUNDS.**—

"(1) **TRANSIT COOPERATIVE RESEARCH PROGRAM.**—Fifty percent of the funds made available under sections 21(b)(3)(D) and 21(c)(3) shall be available for the transit cooperative research program to be administered as follows:

"(A) **INDEPENDENT GOVERNING BOARD.**—The Secretary shall establish an independent governing board for such program to recommend such transit research, development, and technology transfer activities as the Secretary deems appropriate.

"(B) **NATIONAL ACADEMY OF SCIENCES.**—The Secretary may make grants to, and enter into cooperative agreements with, the National Academy of Sciences to carry out such activities as the Secretary determines are appropriate.

"(2) **STATE PLANNING AND RESEARCH.**—The remaining 50 percent of funds made available under sections 21(b)(3)(D) and 21(c)(3) shall be apportioned to the States for grants and contracts consistent with the purposes of sections 6, 8, 10, 11, and 20 of this Act in the ratio which the population in urbanized areas in each State bears to the total population in urbanized areas in all the States, as shown by the latest available decennial census, except that no State shall receive less than 1/2 of 1 percent of the amount apportioned under this subsection. In any case in which a statewide transit agency is responsible under State law for the financing, con-

struction, and operation, directly, by lease, contract, or otherwise, of statewide public transportation services, such agency shall be the recipient for receiving and dispensing funds under this paragraph.

"(3) **ALLOCATION WITHIN A STATE.**—A State may authorize a portion of its funds made available under paragraph (2) to be used to supplement funds available under paragraph (1), as the State deems appropriate."

(b) **NATIONAL PROGRAM.**—Section 26(b) of such Act is amended—

(1) in paragraph (1) by striking "section 21(c)(4)" and inserting "sections 21(b)(3)(E) and 21(c)(4)"; and

(2) in paragraph (2) by inserting "annually" after "\$2,000,000".

(c) **PILOT PROJECT.**—Section 26(c)(4) of such Act is amended by striking "the date of the enactment of this Act" each place it appears and inserting "the date of the enactment of the Intermodal Surface Transportation Efficiency Act of 1991".

SEC. 213. NEEDS SURVEY AND TRANSFERABILITY STUDY.

Section 27(b) of the Federal Transit Act (49 U.S.C. App. 1623(b)) is amended—

(1) in paragraph (1) by striking "(3)";

(2) in paragraph (2) by striking "such sections" and inserting "section 9(j) of this Act"; and

(3) in paragraph (2) by striking "With" and inserting "with".

SEC. 214. STATE RESPONSIBILITY FOR RAIL FIXED GUIDEWAY SYSTEM.

Section 28 of the Federal Transit Act (49 U.S.C. App. 1624(b)) is amended—

(1) in the section heading by inserting "RAIL" before "FIXED GUIDEWAY"; and

(2) in subsection (b)(1) by inserting "rail" before "fixed guideway".

SEC. 215. NATIONAL TRANSIT INSTITUTE.

Section 29 of the Federal Transit Act (49 U.S.C. App. 1625) is amended in the heading to subsection (b) by striking "FUNDING" and inserting "TRAINING OF STATE AND LOCAL GOVERNMENT TRANSPORTATION PERSONNEL".

SEC. 216. INCREASED FEDERAL SHARE.

The Federal Transit Act (49 U.S.C. App. 1601–1625) is amended by adding at the end the following new section:

"SEC. 30. INCREASED FEDERAL SHARE.

"(a) **STATES WITH LARGE AREAS OF INDIAN AND CERTAIN PUBLIC DOMAIN LANDS.**—In the case of any State containing nontaxable Indian lands, individual and tribal, and public domain lands (both reserved and unreserved) exclusive of national forests and national parks and monuments, exceeding 5 percent of the total area of all lands in the State, the Federal share which, but for this subsection, would be applicable for any construction project under this Act shall be increased by a percentage of the remaining cost equal to the percentage that the area of all such lands in the State is of its total area.

"(b) **STATES WITH LARGE AREAS OF INDIAN AND PUBLIC DOMAIN LANDS AND NATIONAL FORESTS, PARKS, AND MONUMENTS.**—In the case of any State containing nontaxable Indian lands, individual and tribal, public domain lands (both reserved and unreserved), national forests, and national parks and monuments, the Federal share which, but for this subsection, would be applicable for any construction project under this Act shall be increased by a percentage of the remaining cost equal to the percentage that the area of all such lands in such State is of its total area.

"(c) **MAXIMUM SHARE.**—Notwithstanding subsections (a) and (b) of this section, the Federal share for any construction project under this Act shall not exceed 95 percent of the total cost of such project.

"(d) **GRANT RECIPIENT AGREEMENT.**—In any case where a grant recipient elects to have the Federal share provided in subsection (b) of this section, the grant recipient must enter into an agreement with the Secretary covering a period of not less than 1 year, requiring grant recipient to use solely for purposes eligible for assistance (other than operating assistance) under this Act (other than paying its share of projects approved under this Act) during the period covered by such agreement the difference between the grant recipient's share as provided in subsection (b) and what its share would be if it elected to pay the share provided in subsection (a) for all projects subject to such agreement."

SEC. 217. PERFORMANCE REPORTS ON MASS TRANSIT SYSTEMS.

Section 308(e)(1) of title 49, United States Code, is amended by striking "January of each even-numbered year" and inserting "January 1994, January 1995, and January of each odd-numbered year thereafter".

SEC. 218. MISCELLANEOUS MULTIYEAR CONTRACTS.

(a) **PORTLAND WESTSIDE LIGHT RAIL PROJECT.**—Section 3035(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2129) is amended by inserting at the end the following: "The Hillsboro Extension to the Westside Light Rail Project shall be considered by the Federal Transit Administration as a single project extending from downtown Portland, Oregon, to downtown Hillsboro, Oregon, for the purposes of project review, evaluation, and approval of construction under section 3(i) of the Federal Transit Act and for the purpose of preparing a report under section 3(j) of such Act."

(b) **NEW JERSEY URBAN CORE PROJECT.**—Section 3031(d) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2122–2123) is amended by inserting after "Hudson River Waterfront Transportation System" the following: "(including corridor connections to and within the city of Bayonne)".

(c) **ADDITIONAL TRACKAGE RIGHTS AND RIGHT-OF-WAY PURCHASE FOR GILROY SERVICE.**—Section 3035(h) of such Act (105 Stat. 2130) is amended—

(1) by striking "July 1, 1994" and inserting "September 30, 1996"; and

(2) by striking "August 1, 1994," and inserting "October 31, 1996,".

(d) **DALLAS LIGHT RAIL PROJECT.**—

(1) **MULTIYEAR GRANT AGREEMENT.**—Section 3035(i) of such Act (105 Stat. 2130) is amended—

(A) by striking "6.4 miles" and inserting "9.6 miles";

(B) by striking "10 stations" and inserting "not to exceed 14 stations";

(C) by striking "such light rail line" and inserting "the program of interrelated projects identified in section 3(a)(8)(C)(vii) of the Federal Transit Act"; and

(D) by striking "of such elements" and inserting "element of such program of interrelated projects".

(2) **PROGRAM OF INTERRELATED PROJECTS.**—Section 3(a)(8)(C)(vii) of the Federal Transit Act (49 U.S.C. App. 1602(a)(8)(C)(vii)) is amended by striking "Camp Wisdom" and inserting "Interstate Route 20, L.B.J. Freeway".

(e) **SOUTH BOSTON.**—Section 3035(j) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2130–2131) is amended—

(1) by inserting "the second place it appears" after "striking"—"; and

(2) by adding at the end the following: "Funds made available for the South Boston Piers Transitway in fiscal year 1994 for alternatives analysis may also be used for construction."

(f) **KANSAS CITY LIGHT RAIL LINE.**—Section 3035(k) of such Act (105 Stat. 2131) is amended

by striking "\$1,500,000 in fiscal year 1992, and \$4,400,000 in fiscal year 1993" and inserting "\$5,900,000".

(g) ORLANDO STREETCAR DOWNTOWN TROLLEY PROJECT.—Section 3035(l) of such Act (105 Stat. 2131) is amended by inserting after "engineering" the following: "and the initiation of final design, construction, land and equipment acquisition, and related activities".

(h) SAN DIEGO MID COAST FIXED GUIDEWAY PROJECT.—Section 3035(u) of such Act (105 Stat. 2132) is amended—

(1) in the subsection heading by striking "LIGHT RAIL" and inserting "FIXED GUIDEWAY"; and

(2) by striking "Light Rail" and inserting "Fixed Guideway".

(i) EUREKA SPRINGS, ARKANSAS.—Section 3035(z) of such Act (105 Stat. 2133) is amended by striking "1992" each place it appears and inserting "1994" and by striking "electrically powered bus" and inserting "alternatively fueled vehicle".

(j) BALTIMORE-CENTRAL LIGHT RAIL EXTENSION.—Section 3035(nn)(1) of such Act (105 Stat. 2134-2135) is amended by striking "as follows:

"(A) Not less than \$30,000,000 for fiscal year 1993.

"(B) Not less than \$30,000,000 for fiscal year 1994."

and inserting "and shall not be less than \$60,000,000".

(k) JACKSONVILLE AUTOMATED SKYWAY EXPRESS EXTENSION.—Section 3035(vv) of such Act (105 Stat. 2136) is amended to read as follows:

"(vv) JACKSONVILLE AUTOMATED SKYWAY EXPRESS EXTENSION.—Not later than April 30, 1994, the Secretary shall negotiate and sign an agreement which modifies the full funding agreement signed on September 27, 1991, with the Jacksonville Transportation Authority for phase I-B of the north segment of the Automated Skyway Express project to make available \$15,000,000 in already appropriated funds and \$35,000,000 under section 3(k)(1)(B) of the Federal Transit Act to carry out construction of the locally preferred alternative for an operable segment of a not to exceed 1.8 mile extension to such project."

SEC. 219. CROSS REFERENCE TO FEDERAL TRANSIT ACT.

Section 176 of the Clean Air Act (42 U.S.C. 7506) is amended in each of subsections (c)(2) and (d) by striking "Urban Mass Transportation" each place it appears and inserting "Federal Transit".

TITLE III—MISCELLANEOUS SURFACE TRANSPORTATION PROGRAMS

SEC. 301. PARTICIPATION IN INTERNATIONAL REGISTRATION PLAN AND INTERNATIONAL FUEL TAX AGREEMENT.

Section 4008(j) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2155) is amended by striking "102" in the second sentence and inserting "1002".

SEC. 302. INTELLIGENT VEHICLE-HIGHWAY SYSTEMS.

(a) OPERATIONAL TESTING PROJECTS.—Section 6055(d) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2192-2193) is amended by inserting "and enter into cooperative agreements and contracts with" after "The Secretary may make grants to".

(b) FUNDING.—Section 6058 of such Act (105 Stat. 2194-2195) is amended—

(1) in the second sentence of subsection (d) by striking "projects undertaken pursuant to subsection (c) of this section" and inserting "activities undertaken with funds made available under subsection (b) and activities undertaken with funds subject to subsection (c)";

(2) in subsection (e) by striking "102" and inserting "1002"; and

(3) by adding at the end the following new subsection:

"(f) NONAPPLICABILITY OF OTHER REQUIREMENTS OF LAW.—A person (including a public agency) that does not receive assistance under title 23, United States Code, the Federal Transit Act, or any provision of this Act (other than the Intelligent Vehicle-Highway Systems Act of 1991) shall not be subject to any Federal design standard, law, or regulation applicable to persons receiving such assistance solely by reason of such person receiving assistance under this section."

SEC. 303. TITLE 49, UNITED STATES CODE, AMENDMENTS.

The analysis for chapter 1 of title 49, United States Code, is amended—

(1) by striking "Sec. 110. Saint Lawrence Seaway Development Corporation."; and

(2) by striking "Sec. 111." and inserting "111."

SEC. 304. SURFACE TRANSPORTATION ASSISTANCE ACT OF 1982 AMENDMENTS.

(a) MOTOR CARRIER SAFETY GRANT PROGRAM.—Section 402 of the Surface Transportation Assistance Act of 1982 (49 U.S.C. App. 2302) is amended—

(1) by moving each of subparagraphs (H) through (N) (including any clauses therein) 2 ems to the left;

(2) in subsection (b)(1)(N) by striking "give" and inserting "gives"; and

(3) in subsection (d) by striking "3" and inserting "5".

(b) CARGO CARRYING UNIT LIMITATION.—Section 411(j)(5)(D) of such Act (49 U.S.C. App. 2311(j)(5)(D)) is amended by striking "prohibited under" and inserting "subject to".

SEC. 305. COMMERCIAL MOTOR VEHICLE SAFETY ACT OF 1986 AMENDMENTS.

(a) SECTION 12011.—Section 12011 of the Commercial Motor Vehicle Safety Act of 1986 (49 U.S.C. App. 2710) is amended—

(1) in each of subsections (a) and (b) by striking "104(b)(5), and 104(b)(6)" and inserting "104(b)(3), and 104(b)(5)"; and

(2) in subsection (c)(1)(A)(ii) by striking "104(b)(6)" and inserting "104(b)(3)".

(b) SECTION NUMBER REDESIGNATION.—Such Act is further amended by redesignating the second section 12020, relating to violation of out-of-service orders, as 12021.

SEC. 306. CLEVELAND HARBOR, OHIO.

Section 1079 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2018-2019) is amended—

(1) by striking the semicolon at the end of subsection (b) and inserting a period; and

(2) in subsection (d)—

(A) by striking "279.31 feet" and inserting "269.31 feet";

(B) by striking "127.28 feet" and inserting "137.28 feet";

(C) by striking the comma following "Grid System";

(D) by striking "33°-53'-08" east" the first place it appears and inserting "33°-53'-08" west";

(E) by striking "north-westerly" and inserting "northwesterly"; and

(F) by striking "174,764 square feet (4.012 acres)" and inserting "175,143 (4.020 acres)".

SEC. 307. SURFACE TRANSPORTATION AND UNIFORM RELOCATION ASSISTANCE ACT OF 1987 AMENDMENTS.

Section 317(b) of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (49 U.S.C. App. 1608 note; 101 Stat. 233) is amended—

(1) in paragraphs (2) and (3) by inserting "or cooperative agreement" after "contract" each place it appears; and

(2) by adding at the end the following new paragraph:

"(7) CONVERSION OF CONTRACTS.—The Secretary may convert existing contracts entered

into under this subsection into cooperative agreements."

SEC. 308. INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT TECHNICAL AMENDMENTS.

(a) NATIONAL RECREATIONAL TRAILS.—Section 1302 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2064-2068) is amended—

(1) in subsection (c) by striking "Act" each place it appears and inserting "part";

(2) in subsection (c)(2)(B) by inserting after "reserves" the following: "an amount equivalent to";

(3) in subsection (d)(1) by striking "national surveys" and inserting "a 1-time national survey";

(4) by adding at the end of subsection (d)(1) the following:

"The 3 percent limitation in the preceding sentence shall not apply to expenditures to pay the cost of conducting the 1-time national survey described in subparagraph (C).";

(5) in subsection (e)(8)(B) by inserting "the State" before "may be exempted"; and

(6) in subsection (e)(8)(B) by inserting "funds may be" before "expended or committed".

(b) SOUTHERN FLORIDA COMMUTER RAIL.—Section 3014 of such Act (105 Stat. 2108) is amended by striking "(49 U.S.C. 1607a)".

(c) ROAD TESTING OF LCV'S.—Section 4007(d)(1) of such Act (49 U.S.C. App. 2302 note) is amended by striking "on board" and inserting "onboard".

(d) NATIONAL COMMISSION ON INTERMODAL TRANSPORTATION.—Section 5005 of such Act (49 U.S.C. 301 note; 105 Stat. 2160-2162) is amended—

(1) in subsection (d)(1) by striking "11 members" and inserting "15 members";

(2) in subsection (d)(1)(A) by striking "3 members" and inserting "7 members"; and

(3) in subsection (i) by striking "1993" and inserting "1994".

(e) SECTION 6017.—Section 6017 of such Act (105 Stat. 2183) is amended by striking "502(a)" and inserting "5002(a)".

SEC. 309. IMPROVED BUS SAFETY.

(a) APPLICABILITY OF FEDERAL MOTOR CARRIER SAFETY REGULATIONS TO BUS OPERATIONS OF PRIVATE MOTOR CARRIERS OF PASSENGERS.—Section 206 of the Motor Carrier Safety Act of 1984 (49 U.S.C. App. 2505) is amended by striking subsection (h) and inserting the following new subsection:

"(h) APPLICABILITY TO BUS OPERATIONS OF PRIVATE MOTOR CARRIER OF PASSENGERS.—Not later than 6 months after the date of the enactment of this subsection, the Secretary shall issue regulations making the relevant commercial motor carrier safety regulations issued under subsection (a) applicable to all operations by private motor carriers of commercial motor vehicles providing transportation of passengers in interstate commerce."

(b) EDUCATION PROGRAM.—Not later than 6 months after the date of the enactment of this Act, the Secretary of Transportation shall develop and implement an education program to inform all private motor carriers of passengers that they must comply with the Federal commercial motor vehicle safety regulations issued under section 206 of the Motor Carrier Safety Act of 1984 when providing commercial motor vehicle transportation of passengers in interstate commerce.

(c) REPORTS.—

(1) INITIAL REPORT.—Not later than 12 months after the date of the enactment of this Act, the Secretary of Transportation shall submit to Congress a report describing in detail the regulations that have been issued pursuant to subsection (a) and the status of the education program being developed and implemented under subsection (b).

(2) *SUBSEQUENT REPORTS.*—Each year for a period of 4 years on the annual anniversary date of the report submitted to Congress under paragraph (1), the Secretary of Transportation shall submit to Congress a report describing in detail the status of enforcement of the Federal commercial motor vehicle safety regulations issued under section 206 of the Motor Carrier Safety Act of 1984 to operations by private motor carriers of commercial motor vehicles providing transportation of passengers in interstate commerce.

The SPEAKER pro tempore (Mr. MONTGOMERY). Pursuant to the rule, the gentleman from West Virginia [Mr. RAHALL] will be recognized for 20 minutes, and the gentleman from Missouri [Mr. EMERSON] will be recognized for 20 minutes.

The Chair recognizes the gentleman from West Virginia [Mr. RAHALL].

GENERAL LEAVE

Mr. RAHALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and include therein extraneous material, on H.R. 3276.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. RAHALL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 3276 provides for technical, conforming, and clarifying amendments to correct mistakes and omissions in the Intermodal Surface Transportation Efficiency Act of 1991 and related law.

The bill also makes necessary, non-controversial, minor policy changes to facilitate ISTEA's implementation.

I would like to make it clear that the bill creates no new budget authority, does not authorize new transportation demonstration projects, and does not earmark apportioned funds for any new purpose.

This is a no-fat, sodium-free, low-cholesterol technical corrections bill.

In effect, it is sugar-free ISTEA.

Title I of the bill relates to the highway program. Provisions of this title make a number of technical and conforming amendments such as providing for the proper reference to the Dwight D. Eisenhower System of Interstate and Defense Highways, providing for high priority corridors to be part of the interim National Highway System, and making a series of technical, conforming, and clarifying amendments to the metropolitan and statewide planning, toll road, bridge, safety, Federal lands highway and bicycle transportation-pedestrian walkway programs of ISTEA.

Provisions of this title also make technical and clarifying amendments to project descriptions under the congestion relief, high priority corridor, rural access, urban and mobility, and innovative project categories.

Title II makes a number of technical, conforming, and clarifying amendments to transit programs such as

those involving metropolitan planning and ferryboat operations. Provisions of this title also correct project descriptions under the section 3 discretionary grant program.

And finally, title III makes technical and conforming amendments to programs involving intelligent vehicle highway systems, the Motor Carrier Safety Act, and the recreational trails provisions of ISTEA.

Mr. Speaker, I reserve the balance of my time.

Mr. EMERSON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 3276, the ISTEA Technical Corrections Act.

In 1991, we enacted the landmark Intermodal Surface Transportation Efficiency Act, ISTEA, which set our Nation's transportation policy on a new course. In the 2 years since ISTEA's enactment, however, we have become aware of certain minor, inadvertent defects and mistakes which impede the proper implementation of ISTEA's programs. This ISTEA Technical Corrections Act makes these necessary changes to ISTEA.

I want to congratulate Chairman MINETA, Mr. SHUSTER, Mr. RAHALL, and Mr. PETRI on bringing this bill to the floor today and thank them for all of their hard work in producing this important legislation.

I want to emphasize that the bill before you today is truly clean and non-controversial legislation. It is so clean that I believe it has earned its nickname—"sugar-free" ISTEA. This bill authorizes no new money, contains no controversial policy changes, and authorizes no new projects at all. It is limited to necessary technical corrections and minor policy changes and should be supported by all Members of this body.

In an effort to keep this bill clean and limited to truly technical changes we were unable to include a number of worthwhile, but significant, controversial or costly measures which were not truly technical in nature. I assure my colleagues that we will consider these and other worthy provisions next spring when we take up the National Highway System legislation.

The changes made by this technical corrections bill are important, and it is my sincere hope that bill will be considered and quickly passed by the Senate this year.

I urge all of my colleagues to support this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. RAHALL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I wish to commend our ranking minority member, the gentleman from Wisconsin [Mr. PETRI], for his work on this legislation. As well, I wish to commend the gentleman from Missouri [Mr. EMERSON] for his work

and his comments. In addition, I wish to commend our ranking Republican member, the gentleman from Pennsylvania [Mr. SHUSTER], as well as the distinguished chairman of the full committee, the gentleman from California [Mr. MINETA], who were most helpful in the drafting of this legislation. Of course, those individuals were involved in the original ISTEA legislation. So I commend the full membership of the Committee on Public Works and Transportation as well for their help.

Mr. Speaker, I reserve the balance of my time.

Mr. EMERSON. Mr. Speaker, I yield such time as he may consume to my dear friend and colleague, the gentleman from Kentucky [Mr. ROGERS].

Mr. ROGERS. Mr. Speaker, I rise in support of this bill.

I first want to thank the leadership and members of the Public Works Committee, and in particular the gentleman from West Virginia, for including a provision proposed by this gentleman and my colleague in the Kentucky delegation, Mr. BARLOW.

The 1991 Intermodal Surface Transportation Act authorized an east-west trans-America corridor on the National Highway System, also known as the I-66 corridor.

H.R. 3276 contains an amendment which stipulates the route of the I-66 corridor in southern and eastern Kentucky, consistent with the early planning studies now underway.

This ensures that a new I-66 will come through our eastern Kentucky region, bringing economic development and jobs.

Mr. Speaker, the mountain communities in my eastern Kentucky district, like Pikeville, Jenkins, Hazard, London, and Somerset—their families and business people—want to be a part of the transcontinental I-66 project. And speaking for them today, I want to thank the members of the committee and the House for their support towards that same goal.

I urge the House to adopt this bill.

Mr. EMERSON. Mr. Speaker, I wish to thank the gentleman from Kentucky [Mr. ROGERS] for the statement that has just been made and to associate myself with his remarks.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. RAHALL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from Kentucky [Mr. ROGERS] as well for his comments. Our districts border each other and we share many of the same problems and concerns with our mutual constituencies. The description of the language the gentleman has just given is appropriate. I commend him for his work in helping us put this particular section in this legislation as well.

Ms. SNOW. Mr. Speaker, I heartily endorse H.R. 3276, a bill making simple technical amendments and minor policy clarifications to the Intermodal Surface Transportation Efficiency Act of 1991 [ISTEA].

One of these policy clarifications is urgently needed. Section 153 of ISTEA penalizes States that have not enacted mandatory motorcycle helmet and seat belt safety laws by September 30, 1993. States failing to enact such laws by the deadline will have 1.5 percent of their highway construction funds diverted to highway safety programs in fiscal year 1995. The penalty increases to 3 percent the following year. H.R. 3276 changes the deadline for compliance to September 30, 1994, giving States an additional year to comply.

I fully support the 1 year delay in the deadline date. However, I remain fully committed to outright repeal of section 153. Maine is facing the prospect of having roughly \$850,000 in fiscal year 1995 highway transportation funds diverted away from much needed highway construction projects and into already funded highway safety programs. In the next fiscal year, the State could face a penalty diversion of \$1.7 million.

Maine has always spent its Federal money carefully, making every effort to ensure that the best interests of its residents are met. It is completely unacceptable that the Federal Government should dictate to Maine how its highway funds must be spent. In essence, the Federal Government is forcing Maine—and other States—to waste valuable Federal resources.

Currently, 27 States are not in compliance with Federal law. Some of these States have enacted neither a mandatory seat belt nor a motorcycle helmet law, or failed to enact one or the other of these two requirements. It is interesting to note that a minority of our 50 States have seen fit to enact mandatory laws of this nature.

I object to the Federal Government's coercive tactics. My bill, H.R. 799, would address this problem by repealing section 153 of ISTEA. H.R. 799 has 116 cosponsors, over 25 percent of the House. I am looking forward to working with my colleagues on the Surface Transportation Subcommittee to move my much needed bill through the legislative process next year.

Mr. MINETA. Mr. Speaker, I rise in strong support of H.R. 3276, legislation making technical corrections to the Intermodal Surface Transportation Efficiency Act of 1991 [ISTEA].

As the distinguished chair of the subcommittee has stated, the bill is entirely technical corrections and minor policy items. This is a testament to the leadership of Chairman RAHALL and the subcommittee's ranking Republican member, Mr. PETRI, and they should be congratulated.

The 1991 ISTEA legislation developed and approved by the Committee on Public Works and Transportation is already helping to lay the groundwork for an innovative and effective transportation network as the United States enters the 21st century.

The ISTEA legislation was genuinely a new transportation policy for America, and a tremendous investment in our future.

As can be expected with any such comprehensive proposal, there were errors in the

final version of the ISTEA legislation. This legislation we are considering today attempts to smooth over the wrinkles, change or clarify project details, and address some minor policy changes.

I'd like to take this opportunity to call to your attention one particular fact: there is no new budget authority or new project authorizations in this bill.

Some Members have indicated their interest in pursuing specific project authorizations and other major policy issues. I am pleased to report that the Committee has also announced plans to move legislation, mid-term through the ISTEA authorization period, to adopt the National Highway System [NHS].

This NHS approval legislation will also give us the opportunity to make necessary modifications to ISTEA programs which reflect changing needs as we move into the third year of ISTEA implementation.

I am completely supportive of this effort and want to assure Members that we have every intention of moving the NHS approval legislation in a timely manner.

In the interim, I urge my colleagues to support this important legislation.

Ms. FURSE. Mr. Speaker, I rise today in support of H.R. 3276, the Intermodal Surface Transportation Technical Corrections Act. H.R. 3276 contains an important provision which clarifies a provision in the original Intermodal Surface Transportation Efficiency Act [ISTEA] regarding the Westside Light Rail project in my district in Oregon.

In 1990, voters in Multnomah, WA and Clackamas County went to the polls and passed by 74 percent a general obligation bond measure to provide the local match for the Westside Light Rail, a project stretching from downtown Portland to downtown Hillsboro. Even in a year when the political tide was vehemently opposed to taxes, and a statewide property tax limitation was passed on the same ballot, voter support for light rail in the tricity area was so prevalent that almost three out of every four citizens decided to put their money in Westside Light Rail. This is the type of broadbased support my district has for this important project. The bill before us today helps keep our commitment to the citizens who voted in that election by making an important modification to the language in the authorizing legislation.

I want to take a moment to thank Congressman DEFAZIO for the attention he has given this issue on the Public Works Committee. As a Member new to this Congress, he has gone out of his way for me personally on numerous occasions, and I want to pay him a special thanks. His work on behalf of Westside Light Rail and other important transportation policy matters in Oregon has earned him a well-deserved debt of gratitude from the entire delegation.

I also want to thank Chairman MINETA who worked very closely with my predecessor, LES AUCCOIN, on Westside Light Rail, and the chairman of the Surface Transportation Subcommittee, Mr. RAHALL. I support the important clarifications of ISTEA in H.R. 3276, and urge my colleagues to support its passage in the House.

Mr. RAHALL. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The Question is on the motion offered by the gentleman from West Virginia [Mr. RAHALL] that the House suspend the rules and pass the bill, H.R. 3276, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amendment, was passed.

A motion to reconsider was laid on the table.

EL CAMINO REAL PARA LOS TEXAS STUDY ACT OF 1993

Mr. VENTO. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 983) to amend the National Trails System Act to direct the Secretary of the Interior to study the El Camino Real Para Los Texas for potential addition to the National Trails System, and for other purposes.

The Clerk read as follows:

S. 983

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "El Camino Real Para Los Texas Study Act of 1993".

SEC. 2. FINDINGS.

The Congress finds—

(1) El Camino Real Para Los Texas was the Spanish road established to connect a series of missions and posts extending from Monclova, Mexico to the mission and later Presidio Nuestra de Pilar de los Adaes which served as the Spanish capital of the Province of Texas from 1722 to 1772;

(2) El Camino Real, over time, comprised an approximately 1,000-mile corridor of changing routes from Saltillo through Monclova and Guerrero, Mexico; San Antonio and Nacogdoches, Texas and then easterly to the vicinity of Los Adaes in present day Louisiana; and constituted the only major overland route from the Rio Grande to the Red River Valley during the Spanish Colonial Period;

(3) the seventeenth, eighteenth, and early nineteenth century rivalries among the European colonial powers of Spain, France, and England and after their independence, Mexico and the United States, for dominion over lands fronting the Gulf of Mexico were played out along the evolving travel routes across this immense area; and, as well, the future of several American Indian nations were tied to these larger forces and events;

(4) El Camino Real and the subsequent San Antonio Road witnessed a competition that helped determine the United States southern and western boundaries; and

(5) the San Antonio Road, like El Camino Real, was a series of routes established over the same corridor but was not necessarily the same as El Camino Real; and that from the 1830's, waves of American immigrants, many using the Natchez Trace, travelled west to Texas via the San Antonio Road, as did Native Americans attempting to relocate away from the pressures of European settlement.

SEC. 3. STUDY OF TRAIL.

Section 5(c) of the National Trail System Act (16 U.S.C. 1244(c)) is amended by adding the following new paragraph at the end thereof:

"(36)(A) El Camino Real Para Los Texas, the approximate series of routes from Saltillo, Monclova, and Guerrero, Mexico across Texas through San Antonio and Nacogdoches, to the vicinity of Los Adaes, Louisiana, together with the evolving routes later known as the San Antonio Road.

"(B) The study shall—

"(i) examine the changing roads within the historic corridor;

"(ii) examine the major connecting branch routes;

"(iii) determine the individual or combined suitability and feasibility of routes for potential national historic trail designation;

"(iv) consider the preservation heritage plan developed by the Texas Department of Transportation entitled 'A Texas Legacy: The Old San Antonio Road and the Caminos Reales', dated January 1991; and

"(v) make recommendations concerning the suitability of establishing an international historical park where the trail crosses the United States-Mexico border at Maverick County, Texas, and Guerrero, Mexico.

"(C) The Secretary of the Interior is authorized to work in cooperation with the government of Mexico (including, but not limited to providing technical assistance) to determine the suitability and feasibility of establishing an international historic trail along the El Camino Real Para Los Texas.

"(D) The study shall be undertaken in consultation with the Louisiana Department of Transportation and Development and the Texas Department of Transportation.

"(E) The study shall consider alternative name designations for the trail.

"(F) The study shall be completed no later than two years after the date funds are made available for the study."

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

□ 1310

The SPEAKER pro tempore (Mr. MONTGOMERY). Pursuant to the rule, the gentleman from Minnesota [Mr. VENTO] will be recognized for 20 minutes, and the gentleman from Wyoming [Mr. THOMAS] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. VENTO]

GENERAL LEAVE

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the Senate bill now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. VENTO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 983, which passed the Senate on July 21, 1993, directs the Secretary of the Interior to study the El Camino Real Para Los Texas for potential addition to the National Trails System. A companion bill (H.R. 2160) was introduced in the House by Representative CHARLES WILSON.

The El Camino Real Para Los Texas—or The Royal Road to Texas—extended 1,000 miles from Saltillo,

Mexico, through San Antonio and Nacogdoches, TX, up to Los Adaes in Louisiana. Approximately 650 miles of the trail are in Texas, 40 miles are in Louisiana, and 250 miles are in Mexico. The importance of the road is related to the 17th, 18th and early 19th century rivalries among the European colonial powers of Spain, France, and England. The bill provides for a study of the trail for potential addition to the National Trails System and allows the Secretary to work in cooperation with the Government of Mexico to study that portion of the trail which lies in Mexico. The administration supports the bill and it had unanimous support from the Committee on Natural Resources.

Mr. Speaker, this is a noncontroversial bill and I urge its adoption.

Mr. Speaker, I reserve the balance of my time.

Mr. THOMAS of Wyoming. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 983, the El Camino Real Para Los Texas study trail.

As fully explained by the chairman, this 1,000 mile corridor represents an important historical route dating back to the 17th century. Composed of Indian trails, natural crossings, and exploratory routes, this corridor served the Spanish and French explorers, northern Mexico, Christians, Indians, European settlers, as well as troops during the Civil War. Stretching through Texas and Louisiana, this corridor is vital to understanding the history of the South and Southeast.

I urge my colleagues' support for S. 983.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. VENTO. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota [Mr. VENTO] that the House suspend the rules and pass the Senate bill, S. 983.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

EL CAMINO REAL DE TIERRA ADENTRO STUDY ACT OF 1993

Mr. VENTO. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 836) to amend the National Trails System Act to provide for a study of El Camino Real de Tierra Adentro [The Royal Road of the Interior Lands], and for other purposes.

The Clerk read as follows:

S. 836

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "El Camino Real de Tierra Adentro Study Act of 1993".

SEC. 2. FINDINGS.

Congress finds that—

(1) El Camino Real de Tierra Adentro was the primary route for nearly 300 years that was used by clergy, colonists, soldiers, Indians, officials, and trade caravans between Mexico and New Mexico;

(2) from the Spanish colonial period (1598–1821), through the Mexican national period (1821–1848), and through part of the United States Territorial period (1840–1912), El Camino Real de Tierra Adentro extended 1,800 miles from Mexico City through Chihuahua City, El Paso del Norte, and on to Santa Fe in northern New Mexico;

(3) the road was the first to be developed by Europeans in what is now the United States and for a time was one of the longest roads in North America; and

(4) El Camino Real de Tierra Adentro, until the arrival of the railroad in the 1880's witnessed and stimulated great multi-cultural exchanges and the evolution of nations, peoples, and cultures.

SEC. 3. DESIGNATION OF TRAIL.

Section 5(c) of the National Trails System Act (16 U.S.C. 1244(c)) is amended by adding at the end the following new paragraph:

"(36)(A) El Camino Real de Tierra Adentro, the approximately 1,800 mile route extending from Mexico City, Mexico, across the international border at El Paso, Texas, to Santa Fe, New Mexico.

"(B) The study shall—

"(i) examine the changing routes within the general corridor;

"(ii) examine major connecting branch routes; and

"(iii) give due consideration to alternative name designations.

"(C) The Secretary of the Interior is authorized to work in cooperation with the Government of Mexico (including, but not limited to providing technical assistance) to determine the suitability and feasibility of establishing an international historic route along the El Camino Real de Tierra Adentro."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota [Mr. VENTO] will be recognized for 20 minutes, and the gentleman from Wyoming [Mr. THOMAS] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. VENTO].

GENERAL LEAVE

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the Senate bill now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. VENTO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 836, which passed the Senate on July 21, 1993, directs the Secretary of the Interior to study the El Camino Real de Tierra Adentro for potential addition to the National Trails System. A companion bill (H.R. 1838) was introduced in the House by Representatives BILL RICHARDSON and RON COLEMAN.

El Camino Real de Tierra Adentro, or The Royal Road to the Interior Lands, extended some 1,800 miles from Mexico City through El Paso, TX, to Santa Fe, NM. The trail originated as an Indian trail following the Rio Grande River and served as a key travel route during the Spanish colonial period, the Mexican national period, and the United States territorial period. It was the primary route for clergy, colonists, soldiers, Indians, and trade caravans between what is today Mexico City and Santa Fe, NM. Approximately 350 miles of the trail are in New Mexico, 20 miles are in Texas, and 1,400 miles are in Mexico. The bill provides for a study of this trail for potential addition to the National Trails System and authorizes the Secretary to work in cooperation with the Government of Mexico to study that portion of the trail which lies in Mexico.

Mr. Speaker, this is a noncontroversial bill which is supported by the administration. I urge its adoption.

Mr. Speaker, the 20 miles of the trail in Texas touch a very important community there, El Paso, which is represented by our colleague, the gentleman from Texas [Mr. COLEMAN], who is the sponsor of this measure.

Mr. Speaker, as I commend him for his work on this study, I take great pleasure in yielding such time as he may consume to the gentleman from Texas [Mr. COLEMAN].

Mr. COLEMAN. Mr. Speaker, I thank the gentleman from Minnesota for yielding time to me. Mr. Speaker, I rise in support of S. 836, the Camino Real de Tierra Adentro Study Act, and urge its passage. S. 836 provides for the National Park Service to study the Camino Real from the international border at El Paso, TX, to Santa Fe, NM, for inclusion within the National Historic Trail System.

S. 836 is extremely timely because we face the risk of losing portions of the Camino Real to commercial development in the coming years if we do not act now to protect it. I come from one of the fastest growing regions in the country. I believe that irrespective of the outcome of the proposed North American Free-Trade Agreement [NAFTA], the region will continue to grow very rapidly over the next decade. It is important that we take steps now to protect this important part of our heritage before we lose the opportunity. I am confident that when the National Park Service study is completed, the study will recommend that El Camino Real be included in our National Historic Trail System.

El Camino Real is perhaps the most important piece of the history of the interior Southwest. It was the lifeblood of the development of commerce in the region and of my district of El Paso, TX, itself. Indeed, El Paso derives its name from the term given to it by travelers along El Camino Real, El

Paso del Norte or the Pass of the North. I would like to share a brief history of the region in order to demonstrate the central role the Camino Real played in the development of the region.

For more than 300 years El Camino Real de Tierra Adentro [The Royal Highway of the Interior Lands] was the road used by conquistadors and clergy, native Americans and colonists, merchants and ranchers traveling between New Mexico and Mexico. Until legal trade between the United States and Mexico was established in 1821, El Camino Real served as the only commercial route linking the territories north of the Rio Grande with the outside world. As the only means of transporting men, goods, and ideas, El Camino Real served as the genesis of both commercial and cultural development in the territories of West Texas and New Mexico. The unique heritage of the American Southwest, with its blend of native American, Mexican, and Spanish traditions, is firmly rooted along the Camino Real.

Portions of the Camino Real had their origins in much older trails along the Rio Grande. These oldest trails were used primarily by the inhabitants of Taos Pueblo in New Mexico and extended to El Paso, TX. The route fostered trade and cultural exchanges between the Pueblo tribes and the inhabitants of Mexico.

The arrival of the Spanish in the 16th century saw the consolidation of these older trails to form the longest and oldest highway in the New World. El Camino Real came to serve as a commercial route between Santa Fe, NM, and Santa Barbara, Mexico. In 1598, Juan de Oñate crossed the Rio Grande at El Paso and traveled north along the trail into New Mexico. Oñate, who had been given permission by the Spanish King, brought with him 129 men, their families and thousands of head of livestock. Oñate also brought a group of Franciscan friars with him in order to convert the inhabitants of the Pueblos. The trail Oñate used became both a trading and communications route. By the time Santa Fe became the capital of the territory of New Mexico in 1610, El Camino Real was already a well established trade route to Mexico.

During the Pueblo revolt of 1680, which came as a result of the abuse of the Spanish settlers, El Camino Real was used as an escape route. The 2,400 fleeing Spaniards, accompanied by a large group of Tiwa Indians, eventually settled in El Paso. A presidio—or fortress—and two missions were established there. The missions and the presidio chapel still serve rural communities outside El Paso today. It was from these new settlements in El Paso that a mission to reconquer New Mexico was launched in 1692; putting the territory north of the Paso del Norte firmly in Spanish hands once again.

Gradually, the hostility between the Spaniards and the Pueblo Indians subsided.

With the belief in the need to convert the native inhabitants of the region, missions sprang up along El Camino Real. During the course of the 17th century, a unique style of art and architecture, sometimes known as Mexican Baroque, evolved. This architectural style typifies the missions found in both the American Southwest and Mexico. Artifacts and paintings to decorate the ornate missions were brought along El Camino Real from Mexico City.

The missions attracted new settlers. Initially these settlements served as resting places for those traveling along El Camino Real; however, during the course of the 18th century increasing numbers of farms and ranches were established. These settlements were particularly concentrated in the Rio Grande Valley and were populated by a mixture of settlers of Spanish and Portuguese descent, as well as Genizaros, Ute, Wichita, Navajo, Apache, and Pawnee. By the close of the century, there was an almost continuous line of settlements the length of El Camino Real. These settlements consisted not only of farms and ranches but also of thriving urban centers, populated by artisans, craftsmen and merchants. El Camino Real served as a focal point for the convergence of the Spanish and native American cultures in the American Southwest.

When Mexico declared its independence from Spain in 1821, one of the first things the new Mexican Government did was relax traderestrictions against the United States. Suddenly, whole new market were available to merchants in both areas. The Santa Fe Trail was born. With the terminus of El Camino Real also in Santa Fe, commerce flourished. Although it became known as the Chihuahua Trail to Anglo-Americans, El Camino Real continued to play its historic role as the primary route between New Mexico and central Mexico after the surrender of the northern territories of Mexico to the United States in 1848. Only the advent of the railroads in the 1880's served to displace El Camino Real as the link between the populations north and south of the Rio Grande.

El Camino Real represents an important part of the heritage of the American Southwest. My friend from New Mexico [Mr. RICHARDSON] and I introduced a similar measure earlier this year, to ensure the preservation of this unique piece of our Nation's history. I want to thank the gentleman from Minnesota for moving this legislation forward in such a timely manner. This is a noncontroversial measure, which is supported by the administration and the States and the local communities. I urge its adoption so we may ensure that our children will have the opportunity to enjoy this part of our Nation's rich cultural heritage.

Mr. THOMAS of Wyoming. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 836 which would study the feasibility of adding the 1,800-mile El Camino Real de Tierra Adentro Trail to the National Trails System.

This trail, also known as The Royal Road of the Interior Lands, was an 1,800-mile trail stretching from Mexico City, Mexico, to Santa Fe, NM, and used for nearly 300 years by missionaries, soldiers, Indians, and traders. The Spanish conquistadors entered what is now the United States via this trail. The first European settlements in the Southwest appeared along this trail and predated English settlements in the East by several decades.

This legislation merely authorizes a study to determine the feasibility and suitability of adding this trail to the National Trails System. Any actual trail designation would require a separate act of Congress. S. 836 is supported by the entire New Mexico congressional delegation.

I urge my colleagues to support S. 836.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. VENTO. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota [Mr. VENTO] that the House suspend the rules and pass the Senate bill, S. 836.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

PROVIDING FOR CONVEYANCE OF LANDS TO CERTAIN INDIVIDUALS IN BUTTE COUNTY, CA

Mr. VENTO. Mr. Speaker, I move that the House suspend the rules and pass the bill (H.R. 457) to provide for the conveyance of lands to certain individuals in Butte County, CA, as amended.

The Clerk read as follows:

H.R. 457

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds and declares that—

(1) certain landowners in Butte County, California who own property adjacent to the Plumas National Forest have been adversely affected by certain erroneous surveys;

(2) these landowners have occupied or improved their property in good faith and in reliance on erroneous surveys of their properties that they believed were accurate; and

(3) the 1992 Bureau of Land Management dependent resurvey of the Plumas National

Forest will correctly establish accurate boundaries between such forest and private lands.

(b) PURPOSE.—It is the purpose of this Act to authorize and direct the Secretary of Agriculture to convey, without consideration, certain lands in Butte County, California, to persons claiming to have been deprived of title to such lands.

SEC. 2. DEFINITIONS.

For the purpose of this Act—

(1) the term "affected lands" means those Federal lands located in the Plumas National Forest in Butte County, California, in sections 11, 12, 13, and 14, township 21 north, range 5 east, Mount Diablo Meridian, as described by the dependent resurvey by the Bureau of Land Management conducted in 1992, and subsequent Forest Service land line location surveys, including all adjoining parcels where the property line as identified by the 1992 BLM dependent resurvey and National Forest boundary lines before such dependent resurvey are not coincident;

(2) the term "claimant" means an owner of real property in Butte County, California, whose real property adjoins Plumas National Forest lands described in subsection (a), who claims to have been deprived by the United States of title to property as a result of previous erroneous surveys; and

(3) the term "Secretary" means the Secretary of Agriculture.

SEC. 3. CONVEYANCE OF LANDS.

Notwithstanding any other provision of law, the Secretary is authorized and directed to convey, without consideration, all right, title, and interest of the United States in and to affected lands as described in section 2(1), to any claimant or claimants, upon proper application from such claimant or claimants, as provided in section 4.

SEC. 4. TERMS AND CONDITIONS OF CONVEYANCE.

(a) NOTIFICATION.—Not later than 2 years after the date of enactment of this Act, claimants shall notify the Secretary, through the Forest Supervisor of the Plumas National Forest, in writing of their claim to affected lands. Such claim shall be accompanied by—

(1) a description of the affected lands claimed;

(2) information relating to the claim of ownership of such lands; and

(3) such other information as the Secretary may require.

(b) ISSUANCE OF DEED.—(1) Upon a determination by the Secretary that issuance of a deed for affected lands is consistent with the purpose and requirements of this Act, the Secretary shall issue a quitclaim deed to such claimant for the parcel to be conveyed.

(2) Prior to the issuance of any such deed as provided in paragraph (1), the Secretary shall ensure that—

(A) the parcel or parcels to be conveyed have been surveyed in accordance with the Memorandum of Understanding between the Forest Service and the Bureau of Land Management, dated November 11, 1989;

(B) all new property lines established by such surveys have been monumented and marked; and

(C) all terms and conditions necessary to protect third party and Government Rights-of-Way or other interests are included in the deed.

(3) The Federal Government shall be responsible for all surveys and property line markings necessary to implement this subsection.

(c) NOTIFICATION TO BLM.—The Secretary shall submit to the Secretary of the Interior

an authenticated copy of each deed issued pursuant to this Act no later than 30 days after the date such deed is issued.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as necessary to carry out the purposes of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota [Mr. VENTO] will be recognized for 20 minutes, and the gentleman from Wyoming [Mr. THOMAS] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. VENTO].

GENERAL LEAVE

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. VENTO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 457 is a bill by the gentleman from California [Mr. HERGER] that would provide for the conveyance of about 30 acres in Butte County, CA, to some 16 parties.

This conveyance would resolve title problems of adjoining private landowners caused by the Forest Service's acceptance of an incorrect boundary survey done by a private contractor. The errors in this survey were later shown by a resurvey of the area by the Bureau of Land Management.

The adjoining landowners had relied on the incorrect survey, and when its errors became known, they learned that lands they thought they owned were really owned by the United States. These are the lands that would be conveyed under the bill.

This is a noncontroversial bill to remove clouds from private lands titles, with only a technical amendment to correct the legal description of the lands involved.

I urge its approval by the House.

Mr. Speaker, I reserve the balance of my time.

Mr. THOMAS of Wyoming. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 457. Sponsored by my good friend the gentleman from California [Mr. HERGER] this bill will finally clear title for approximately 13 landowners near the Plumas National Forest. Due to a long line of erroneous boundary surveys, title to about 20 acres is clouded by the Federal Government. These lands have been occupied and improved for years by private owners and it is time to clean up these titles once and for all.

I commend Mr. HERGER for his efforts and urge my colleagues' support for H.R. 457.

□ 1320

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. VENTO. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MONTGOMERY). The question is on the motion offered by the gentleman from Minnesota [Mr. VENTO] that the House suspend the rules and pass the bill, H.R. 457, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

EXTENSION OF INDIAN ENVIRONMENTAL GENERAL ASSISTANCE PROGRAM ACT OF 1992

Mr. VENTO. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 654) to amend the Indian Environmental General Assistance Program Act of 1992 to extend the authorization of appropriations.

The Clerk read as follows:

S. 654

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF AUTHORIZATION.

Subsection (h) of the Indian Environmental General Assistance Program Act of 1992 (42 U.S.C. 4368b(h)) is amended by striking "and 1994" and inserting ", 1994, 1995, 1996, 1997, and 1998".

SEC. 2. REPORT TO CONGRESS.

The Indian Environmental General Assistance Program Act of 1992 (42 U.S.C. 4368b) is amended by adding at the end the following:

"(1) REPORT TO CONGRESS.—The Administrator shall transmit an annual report to the appropriate Committees of the Congress with jurisdiction over the applicable environmental laws and Indian tribes describing which Indian tribes or intertribal consortia have been granted approval by the Administrator pursuant to law to enforce certain environmental laws and the effectiveness of any such enforcement."

SEC. 3. MISCELLANEOUS.

(a) GENERAL ASSISTANCE PROGRAM.—Subsection (d)(1) of the Indian Environmental General Assistance Program Act of 1992 (42 U.S.C. 4368b(d)(1)) is amended by inserting "consistent with other applicable provisions of law providing for enforcement of such laws by Indian tribes" after "programs".

(b) EXPENDITURE OF GENERAL ASSISTANCE.—Subsection (f) of the Indian Environmental General Assistance Program Act of 1992 (42 U.S.C. 4368b(f)) is amended by adding at the end the following: "Such program and general assistance shall be carried out in accordance with the purposes and requirements of applicable provisions of law, including the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.)."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota [Mr. VENTO] will be recognized for 20 minutes, and the gentleman from Wyoming [Mr. THOMAS] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. VENTO].

GENERAL LEAVE

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on S. 654, the Senate bill now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. VENTO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, at the behest of the gentleman from New Mexico [Mr. RICHARDSON], chairman of the Subcommittee on Native American Affairs, and also a member of the Committee on Natural Resources, I am pleased to present this bill to the House.

This bill extends the authorization for the Indian Environmental General Assistance Program through the year 1998. I want to commend Chairman RICHARDSON for the work he and the subcommittee have completed on this important measure. It is important law which first was passed in the 102d Congress, and as I have indicated, it is due to expire in this Congress.

The measure before us would continue the multimedia grants to Indian tribes so that the tribes will have the flexibility to assess tribal environmental priorities and allocate their limited funds accordingly.

There are a growing number of environmental problems, and yet there is an overwhelming lack of information on the environmental problems on native American lands. Indian tribes must address a wide variety of problems such as contamination of groundwater, leaking underground storage tanks, untreated uranium mill tailings, and the illegal dumping of hazardous waste on tribal lands.

In most cases, Indian tribes rely on a single environmental protection office to address this wide range of environmental problems. Funds for these efforts must be flexible to address individual environmental priorities for each native American group.

In past years, the EPA funded the so-called multimedia environmental protection programs on several Indian reservations on a demonstration basis. In each case, these tribal programs have met with significant success. Indian tribes have strongly supported the development of such a grant program as a very effective means to providing a flexible source of funds for environmental protection.

Under this program, the Indian Environmental General Assistance Program allows native American groups to plan and develop a reservation-specific approach to environmental protection. This program has enabled Indian tribes to conduct studies to determine environmental impacts on reservations and

to monitor adverse environmental impacts to water, air, and the tribal lands themselves. With these funds, Indian tribes have been able to build programmatic and regulatory capacities to address a growing number of environmental concerns. Our chairman has worked closely with the chairman of the Committee on Energy and Commerce, the gentleman from Michigan [Mr. DINGELL] to ensure that the legislation conforms to existing environmental provisions and laws.

I of course want to commend the gentleman from New Mexico [Mr. RICHARDSON] for the work he has done on the Committee on Natural Resources. He also serves on the Committee on Energy and Commerce, which has obviously facilitated his work on this very important measure that is before the body, and I urge its support.

I include for the RECORD a letter from the chairman of the Committee on Natural Resources to the chairman of the Committee on Energy and Commerce concerning this legislation:

COMMITTEE ON NATURAL RESOURCES,

Washington, DC, November 4, 1993.

Hon. JOHN D. DINGELL,
Chairman, Committee on Energy and Commerce,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to our conversation, I am writing to express my understandings regarding S. 654, which amends the Indian Environmental General Assistance Program Act of 1992. It is my understanding that the Committee on Energy and Commerce, without waiving its jurisdictional prerogatives with regard to the legislation, agrees to the following amendments:

(1) Subsection (h) of the Indian Environmental General Assistance Program Act of 1992 is amended by striking "and 1994" and inserting ", 1994, 1995, 1996, 1997, and 1998".

(2) The Indian Environmental General Assistance Program Act of 1992 is amended by adding at the end the following:

"(1) REPORT TO CONGRESS.—The Administrator shall transmit an annual report to the appropriate Committees of the Congress with jurisdiction over the applicable environmental laws and Indian tribes describing which Indian tribes or intertribal consortia have been granted approval by the Administrator pursuant to law to enforce certain environmental laws and effectiveness of any such enforcement."

(3) Subsection (d)(1) of the Indian Environmental General Assistance Program Act of 1992 is amended by inserting "consistent with other applicable provisions of law providing for enforcement of such laws by Indian tribes" after "programs".

(4) Subsection (f) of the Indian General Assistance Program Act of 1992 is amended by adding at the end the following: "Such programs and general assistance shall be carried out in accordance with the purposes and requirements of applicable provisions of law, including the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.)."

The Committee on Natural Resources is in agreement with these amendments of S. 654, to amend the Indian Environmental General Assistance Program Act of 1992. Please contact me if this comports with your understanding of our agreement. I look forward to working with you to ensure this important legislation receives prompt consideration by the House of Representatives and agree that

if a Conference is required, that your Committee will be entitled representation.

Sincerely,

GEORGE MILLER,
Chairman.

Mr. THOMAS of Wyoming. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of S. 654, the Indian Environmental General Assistance Program Act Reauthorization, as amended.

The gentleman from Minnesota has adequately explained the bill's provisions, so I will simply urge my colleagues to support passage.

Mr. Speaker, I yield back the balance of my time.

Mr. VENTO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I hope the letter I have submitted will be helpful in terms of the understanding between the Committee on Natural Resources and the Committee on Energy and Commerce on this matter. Again I commend the gentleman from New Mexico [Mr. RICHARDSON] and others who have worked so hard on this measure.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. RICHARDSON. Mr. Speaker, I rise in strong support of S. 654, to reauthorize the Indian Environmental General Assistance Program. As chairman of the Subcommittee on Native American Affairs, I have heard testimony from Indian tribes regarding the wide range of environmental problems facing Indian country. Our subcommittee has held several hearings on environmental problems ranging from leaking and abandoned underground storage tanks to abandoned uranium mill tailings on Indian lands. What has been most apparent throughout these hearings is the need to establish an environmental presence on each Indian reservation and to effectively coordinate Federal environmental responsibilities on Indian lands.

This bill would increase the environmental presence on Indian lands through the continued development of tribal environmental programs. It provides assistance to Indian tribes so that they may tailor their environmental programs to meet their unique circumstances. It will enable Indian tribes to develop environmental priorities so that scarce tribal resources may be effectively allocated to address competing environmental concerns. Under this program, Indian tribes will plan and develop a reservation specific approach to environmental protection. This program will enable Indian tribes to conduct studies to determine environmental impacts on the reservation and to monitor adverse environmental impacts to water, air, and tribal lands. This program provides Indian tribes with the flexibility to develop environmental protection programs across a wide range of environmental media areas. Through the development of a tribal multimedia program, Indian tribes will be in a better position to coordinate environmental responses to reservation problems that may concern several different EPA programs such as water quality standards and leaking underground storage tanks.

For several years, the EPA has funded multimedia environmental protection programs on Indian reservations on a demonstration basis. The Bad River Tribe in Wisconsin and the Wind River Tribe of Wyoming have operated multimedia programs for several years. In both cases, these tribal programs have met with a great deal of success. Indian tribes across the country have noted this success and support the development multimedia grant programs for their reservations.

I would like to thank the chairman of the Energy and Commerce Committee for his hard work on this measure. Our committees have worked closely to ensure that this legislation conforms to existing environmental statutes. There is strong support across Indian country for this measure. I urge my colleagues to support this very important legislation which has bipartisan support.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota [Mr. VENTO] that the House suspend the rules and pass the Senate bill, S. 654, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

INDEPENDENT SAFETY BOARD ACT AMENDMENTS OF 1993

Mr. OBERSTAR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2440) to amend the Independent Safety Board Act of 1974 to authorize appropriations for fiscal years 1994, 1995, and 1996, and for other purposes.

The Clerk read as follows:

H.R. 2440

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Independent Safety Board Act Amendments of 1993".

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

Section 309(a) of the Independent Safety Board Act of 1974 (49 U.S.C. App. 1907(a)) is amended by adding at the end the following new sentence: "There are authorized to be appropriated for the purposes of this Act not to exceed \$37,580,000 for the fiscal year ending September 30, 1994, \$44,000,000 for the fiscal year ending September 30, 1995, and \$45,100,000 for the fiscal year ending September 30, 1996; such sums to remain available until expended."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota [Mr. OBERSTAR] will be recognized for 20 minutes, and the gentleman from Florida [Mr. MICA] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. OBERSTAR].

Mr. OBERSTAR. Mr. Speaker, I yield 10 minutes to the gentleman from Washington [Mr. SWIFT], chairman of the Subcommittee on Transportation and Hazardous Materials of the Committee on Energy and Commerce, and I

ask unanimous consent that he be allowed to control that time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. OBERSTAR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 2440, the Independent Safety Board Act Amendments of 1993.

This bill, which I introduced together with my colleague, the gentleman from Pennsylvania [Mr. CLINGER], the ranking member of the Subcommittee on Aviation, simply reauthorizes appropriations for the National Transportation Safety Board for the 3 years through fiscal year 1996. Funding levels in the bill are \$37.58 million for fiscal year 1994, \$44 million for fiscal year 1995, and \$45.1 million for fiscal year 1996.

The funding levels for fiscal years 1995 and 1996 are consistent with those requested by the NTSB. However, the funding level for fiscal year 1994 is \$455,000 more than the President requested.

The additional funding, in the judgment of the subcommittee and the full Committee on Public Works and Transportation, would permit the NTSB to retain its current staff rather than take a staff reduction of nine positions, which would have been necessary if the requested funding level had not been authorized. I want to point out that in the course of hearing on this matter the NTSB, we learned, originally requested a higher funding level, but the Office of Management and Budget refused to endorse that request in support of the President's call for a reduction of Federal positions. And while I generally agree with the administration about the need to shrink the size of Government, this is an area that we must not shrink or compromise. Safety is critical. Every person who gets on an airplane, gets on a train, or is involved in trucking wants to know that their driving, flying, and riding conditions are going to be safe.

The NTSB is the Nation's watchdog on aviation safety, and I want to be sure that it is fully staffed to carry out its very heavy responsibilities. The National Transportation Safety Board is the Nation's central and critical functional agency for transportation safety.

□ 1330

It is held in enormous respect both at home and abroad. Our neighbors to the north, the Canadians, have patterned their safety board after ours. The NTSB is involved around the world wherever there are American-built aircraft or American airlines operating aircraft overseas which have an accident. The safety board is there, they are looked to with great respect by their colleagues in other countries.

They have developed an unparalleled professionalism for their investigations and the unbiased nature of their findings, recommendations, and conclusions.

It is rare in the Federal Government for interested parties to be universally satisfied with the work of an investigative agency. No agency likes to have its work critiqued or criticized. But the NTSB has developed such a stature that during our reauthorization process not a single industry organization, labor group, or Federal agency had enough concern about the NTSB work to send a single witness to testify in opposition to, or express concern about, the NTSB.

I think that is an extraordinary record of accomplishment, especially to come to this point of a reauthorization without industry criticism.

I think it is vitally important that congressional action assure the NTSB of the funding levels it needs to maintain the personnel, maintain the staffing competence and professionalism, to avoid any question, any hint of deterioration in the quality of their work product. Clearly it is not cost effective to reduce funding for an agency whose recommendations, whose central mission is and has been to save lives.

The funding levels we have requested are necessary, they are not excessive, they maintain the current staffing status, and I urge support of the legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. MICA. Mr. Speaker, I ask unanimous consent to yield 10 minutes to the gentleman from Ohio [Mr. OXLEY] and pending that, I yield myself such time as I may consume.

The SPEAKER pro tempore (Mr. MAZZOLI). Is there objection to the request of the gentleman from Florida?

There was no objection.

The SPEAKER pro tempore. The gentleman from Florida [Mr. MICA] has yielded 10 minutes of his time to be controlled by the gentleman from Ohio [Mr. OXLEY].

The Chair recognizes the gentleman from Florida [Mr. MICA].

Mr. MICA. Mr. Speaker, first of all I want to take a moment and comment that the gentleman from Pennsylvania, [Mr. SHUSTER] ranking member of the Committee on Public Works and Transportation, is not able to be here, nor is the gentleman from Pennsylvania [Mr. CLINGER] who is tied up with another obligation at this particular moment.

Mr. Speaker, I am pleased to speak and to rise in favor of H.R. 2440, which is the National Transportation Safety Board reauthorization.

I would also be remiss if I did not take a moment to first of all compliment the chairman of the Subcommittee on Aviation of the Committee on Public Works and Transportation, the gentleman from Minnesota

[Mr. OBERSTAR] with whom I have enjoyed working. I want to commend him for his diligence, his efforts, his tireless energy on behalf of aviation and on behalf of transportation generally in our country.

I think that if the Congress worked in the fashion in which our committee worked, and in which its subcommittees work, transportation, public works and aviation, if every one of these committees worked in such a congenial bipartisan fashion, the products of this Congress and the Congress and the country would be in much better shape.

But this is a fairly noncontroversial matter, though an important matter, the transportation safety of our country.

As we know, the NTSB is guardian of our national transportation safety. It is an independent agency whose effectiveness is dependent on timely accident reports and safety recommendations. To accomplish that, they need the support of this Congress and of our committee, and we are doing that here today.

So I am pleased, being a fiscal conservative, also that the constraints that have been placed on this board, even though the NTSB requested \$42.2 million for 1994, that we are coming in well below that in this authorization at \$37.58 million, which is again another example of how this Congress should work and can work in a bipartisan effort.

So, with that, again I rise in favor of this reauthorization.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Washington [Mr. SWIFT].

Mr. SWIFT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am very pleased to support the reauthorization of the National Transportation Safety Board. The Board is an independent agency that comes under the joint oversight of the Committee on Public Works and Transportation and the Committee on Energy and Commerce.

This legislation was passed, unamended, on a voice vote, by the Committee on Energy and Commerce in October of this year. We passed the bill exactly as it came out of the Committee on Public Works and Transportation.

The mandate of the Safety Board is to investigate transportation accidents, including those involved in railroads. The Board must determine probable cause and make recommendations designed to prevent such accidents from recurring.

Since its inception 26 years ago, the Board has undertaken over 50,000 accident investigations and has issued more than 9,000 safety recommendations covering a wide range of transportation safety issues.

The Subcommittee on Transportation and Hazardous Materials of the Committee on Energy and Commerce, which I have the honor to chair, has oversight responsibility for the Safety Board's investigations and recommendations of rail accidents. The Safety Board has also undertaken a number of rail-related special studies, including studies on tank car and locomotive fuel tank integrity, collision avoidance and work/rest cycles on train crews. The Safety Board is held in high esteem by those who know of its work, and the bill before us insures that that work will not be impaired.

I urge Members to pass this bill, H.R. 2440.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Ohio [Mr. OXLEY].

Mr. OXLEY. I yield myself such time as I may consume.

Mr. Speaker, I want to commend our subcommittee chairman, the gentleman from Washington, for his very diligent and constructive efforts to enact this reauthorization of the National Transportation Safety Board. I also want to recognize the efforts of our committee chairman, the gentleman from Michigan, and our ranking committee member, the gentleman from California, as well as the efforts of the leadership of the Public Works Committee, with whom we share jurisdiction over the National Transportation Safety Board.

The NTSB performs an important safety function: It is capable of conducting an expert investigation of virtually any type of transportation accident. After such an investigation, the agency can then make recommendations aimed at avoiding similar accidents in the future. Because NTSB is not an enforcement or regulatory agency, it often can call the shots as it sees them, without some of the inhibitions that might apply within the Department of Transportation.

I strongly support this bipartisan reauthorization bill and urge its prompt approval by the House.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MICA. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SWIFT. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. OBERSTAR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in conclusion, I would like to express my great appreciation to the gentleman from Florida [Mr. MICA] for his very thoughtful remarks. I think the distinguishing characteristic of our subcommittee is that we do work on a bipartisan basis and an openness among members and staff. The

gentleman has rightly characterized our work product as being excellent and reflects that spirit of cooperation. I greatly appreciate the gentleman's thoughtful remarks.

Mr. MOORHEAD. Mr. Speaker, I want to commend our committee chairman, Mr. DINGELL, our subcommittee chairman, Mr. SWIFT, and the subcommittee's ranking member, Mr. OXLEY for their Bipartisan effort to reauthorize the very important activities of the National Transportation Safety Board. Until recently, the NTSB was identified in the public's eye almost exclusively with aircraft accident investigations. However, in the wake of the unfortunate Amtrak accident in September near Mobile, Al I believe many more Americans now realize that the NTSB's safety investigations cover virtually every form of transportation. This is a highly respected and expert Agency, and as such deserves to be reauthorized as provided in this bill. I strongly support this bipartisan reauthorization bill and urge its prompt approval by the House.

Mr. MINETA. Mr. Speaker, I rise in strong support of H.R. 2440, the Independent Safety Board Act Amendments of 1993. This bill, which reauthorizes appropriations for the National Transportation Safety Board for fiscal years 1994-96, has full bipartisan support and is completely noncontroversial.

The National Transportation Safety Board is unique within the Federal Government. The importance of its safety mandate transcends politics. The highly skilled NTSB work force investigates accidents to determine the probable cause in five transportation modes: aviation, highways, rail, pipeline, and marine. The safety recommendations made by the Board directly translate into lives saved. Every person in this room and in this country has benefited from the fine work done by the Board. It is a tribute to the reputation of the Board that more than 80 percent of its recommendations are accepted voluntarily.

This bill would enable the Board to continue its vital work at current staff levels. It is important that we ensure that fair funding levels are established in order to prevent any deterioration in the invaluable services provided by the National Transportation Safety Board. This bill establishes fair funding levels that have received bipartisan support in both the Committee on Public Works and Transportation, and the Committee on Energy and Commerce.

I urge my colleagues to support this important legislation.

Mr. OBERSTAR. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota [Mr. OBERSTAR] that the House suspend the rules and pass the bill, H.R. 2440.

The question was taken.

Mr. BUNNING. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

□ 1340

PROVIDING FOR CONSIDERATION OF HOUSE CONCURRENT RESOLUTION 170, REMOVAL OF U.S. ARMED FORCES FROM SOMALIA

Mr. HALL of Ohio. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 293 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 293

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the concurrent resolution (H. Con. Res. 170) directing the President pursuant to section 5(c) of the War Powers Resolution to remove United States Armed Forces from Somalia by January 31, 1994. The amendment in the nature of a substitute recommended by the Committee on Foreign Affairs now printed in the concurrent resolution shall be considered as adopted. The previous question shall be considered as ordered on the concurrent resolution, as so amended, to final adoption without intervening motion except: (1) the further amendment in the nature of a substitute printed in part 1 of the report of the Committee on Rules accompanying this resolution; (2) the further amendment in the nature of a substitute printed in part 2 of the report of the Committee on Rules accompanying this resolution; and (3) one motion to recommit. Each of the amendments printed in the report of the Committee on Rules may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, and shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent. All points of order against the amendments printed in the report are waived. If more than one of the amendments printed in the report is adopted, only the last to be adopted shall be considered as finally adopted.

SEC. 2. The provisions of section 7 of the War Powers Resolution (50 U.S.C. 1546) shall not apply during the remainder of the first session of the One Hundred Third Congress to a concurrent resolution introduced pursuant to section 5 of the War Powers Resolution (50 U.S.C. 1544) with respect to Somalia.

The SPEAKER pro tempore. (Mr. MAZZOLI). The gentleman from Ohio [Mr. HALL] is recognized for 1 hour.

Mr. HALL of Ohio. Mr. Speaker, I yield the customary 30 minutes to the gentleman from New York [Mr. SOLOMON], for purposes of debate only, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purposes of debate only.

Mr. Speaker, House Resolution 293 is a rule providing for the consideration of House Concurrent Resolution 170, the resolution directing the President to remove United States troops from Somalia, and amendments thereto in the House. Mr. Speaker, I want to point out at this time there is a small drafting error in the rule. The committee intended to provide 1 hour of general debate. The rule, however, orders the previous question to final adoption without providing for general debate.

At this time, Mr. Speaker, after consultation with the minority on the Rules Committee and the Foreign Affairs Committee, I ask unanimous consent that when House Concurrent Resolution 170, as amended, is called up for consideration pursuant to House Resolution 293, it will be debatable for 1 hour equally divided and controlled by the chairman and ranking minority member of the Foreign Affairs Committee.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HALL of Ohio. Mr. Speaker, the rule provides that the Foreign Affairs Committee amendment in the nature of a substitute shall be considered as adopted. Under the rule, only two substitute amendments printed in the report to accompany the rule shall be in order. These amendments may be offered by Mr. GILMAN or his designee, and Mr. HAMILTON or his designee, and shall be considered in the order and manner specified. As specified in the report, each amendment shall be debated for up to 30 minutes, equally divided and controlled by the proponent of the amendment and an opponent. The Gilman and Hamilton amendments shall be considered as read, not subject to amendment, and all points of order against them are waived.

If more than one of the two amendments made in order is adopted, only the last amendment to be adopted shall be considered as finally adopted. This is in keeping with the agreed upon king-of-the-hill procedure. The rule also provides that the provisions of section 7 of the War Powers Act shall not apply during the remainder of the first session of the 103d Congress to a concurrent resolution introduced pursuant to section 5 of the War Powers Resolution with respect to Somalia. Mr. Speaker, this is necessary to allow the House to make the best use of its very limited time before the end of the current session of Congress. Finally, the rule provides one motion to recommit.

Mr. Speaker, House Concurrent Resolution 170 as reported by the House Foreign Affairs Committee directs the President to remove the United States Armed Forces from Somalia by March 31, 1994. The recent death of Somalis and U.N. forces, including United States military servicemen, has generated controversy over the Somalia operation. The Foreign Affairs Committee action is in keeping with the requirements of the War Powers Act that pertain to the use of U.S. Armed Forces engaged in hostilities overseas. This resolution will afford us the opportunity to discuss and debate our actions with respect to Somalia as well as our overall policy objectives concerning United States troops abroad. The people of our country, including the families of servicemen and women

stationed in Somalia, deserve to know when and under what conditions our troops will return from their original humanitarian mission.

The carefully crafted rule before us received bipartisan support on the Rules Committee and passed unanimously in a voice vote. I urge my colleagues to support it.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise to join my friend, the gentleman from Ohio, in urging all Members to support this rule.

This is one of those rare occasions when I ask the Members to support a rule which is less than open.

But I can do so today because this rule meets the two criteria that are necessary to gain Republican support.

First, this rule is the product of genuine negotiations between the majority and minority leadership.

A great deal of effort went into finding a format that would be fair to all sides concerned.

I believe this rule does provide for a balanced debate, and the leadership of both parties have agreed to it.

Second, this rule does not freeze out Republicans.

One Republican-sponsored amendment is made in order and one Democrat-sponsored amendment is made in order.

Each side is given one shot, and the difference between the two is clearly drawn.

For these reasons, then, I urge support for the rule.

Mr. Speaker, I need not reiterate the entire explanation of the rule given to us by the gentleman from Ohio, I would simply say that the issue before us boils down to a clear-cut choice:

Should the House adopt the Gilman amendment, which would bring United States troops out of Somalia by January 31, 1994?

Or should the House adopt the Hamilton amendment, which adheres to the President's deadline and would bring the troops home 2 months later than that, by March 31, 1994?

For my own part, I strongly support the Gilman amendment—indeed, I would like to bring the troops home even sooner, and I know there are a lot of Members of this House who feel the same way I do.

I do not believe any purpose is being served by keeping our troops in Somalia for a single further day. The time to begin an orderly withdrawal is right now, today.

Mr. Speaker, I must also say that the gentleman from New York [Mr. GILMAN] deserves special commendation from the House for his tenacious efforts in keeping this issue on the front burner, as does the gentleman from Florida [Mr. MICA].

The Senate has devoted more than 3 full legislative days to debating the questions related to United States in-

volvement in Somalia and our participation in United Nations peacekeeping missions.

So far, the majority leadership of the House has denied the Members of this body from engaging in a similar comprehensive debate.

And we would not be here today were it not for the persistence of the gentleman from New York [Mr. GILMAN], who even had to go so far as to invoke the Wars Powers Resolution in order to bring this issue to the floor here today. So he really deserves our thanks.

Mr. Speaker, I myself might be more flexible in supporting the timetable the administration proposed for getting our troops out of Somalia if I could be convinced that the administration has a coherent foreign policy, but I am not so convinced.

I served for years on the Foreign Affairs Committee, and Mr. Speaker, I have never seen such a situation as we have today. I know I speak for many Members on both sides of the aisle when I say that the Clinton administration's commitment to so-called peacekeeping as the centerpiece of its foreign policy has not been thought through.

□ 1350

It is, in fact, threatening to distort and derail any kind of realistic and bipartisan consensus that might be reached concerning America's strategic interests and role in today's world.

Members may recall that when the first rule for the Defense authorization bill was considered here on the floor more than 3 months ago—early in August—many Republicans took to the well to criticize the majority leadership for not allowing a debate and appropriate amendments on the subject of peacekeeping.

Those calls for debate were renewed by Republicans and concerned Democrats throughout the month of September, when the Somalia operation looked to be going seriously wrong and even spinning out of control.

Finally, on October 3, 18 more Americans were killed, and more than 70 were wounded in an ambush in the streets of Mogadishu.

The worst fears that many of us had were confirmed several days later in the most disastrous and chaotic briefing I have ever attended in 15 years as a Member of Congress.

Secretary of State Christopher and Secretary of Defense Aspin could neither explain, defend, nor even confirm the existence of a coherent peacekeeping policy in Somalia.

We have watched the U.N.-led mission in Somalia apparently evolve from humanitarian relief to law enforcement.

Then it became nation building.

Then it became taking sides in a civil war situation and going after the bad guys.

When all of that failed, it was back to the barracks.

Now, evidently, it has gone back to law enforcement, and American troops are once again pounding the beat on the streets of Mogadishu where they have no business being.

Mr. Speaker, I have said it before and I will say it again: This is madness!—This is mindless folly!

Maybe this would not be so dangerous if America did not have other overseas commitments.

But the fact of the matter is we do. Read today's headlines about 70 percent of the North Korean Communist forces being deployed on the 38th parallel right now, today.

And I know something else, too: At a time when Defense budgets are declining sharply, we cannot maintain a policy of indiscriminate support for "peacekeeping" operations, in areas of peripheral importance to the United States, without harming our readiness to defend our real interests elsewhere, such as in South Korea.

During the debate this year on both the authorization and appropriation bills for national defense, both of which should be back on this floor later this week as conference reports—Members from the majority side of the aisle, from the Democrat side, subcommittee chairmen, very respected Members like the gentleman from Missouri [Mr. SKELTON], warned that we are running the risk of hollowing out our active-duty forces—just as we did in the late-1970's—if this Government does not establish some realistic priorities.

This is all the more a critical point because the Clinton administration's projected levels of Defense spending over the next 4 years come in well below what their own "bottom-up" review defines as the minimum amount necessary to protect the security, the national interests of the United States of America.

Mr. Speaker, our Nation has real interests and real commitments in Europe, the Middle East, the Western Hemisphere, and the Pacific rim.

It is time to get out of this side show in Somalia once and for all.

America should not have a policy of intervening in local disputes—be they issues of minority rights, local autonomy, or anything else—unless there is an explicit and undeniable threat to another sovereign nation with whom we are allied. American foreign policy under all Presidents, be they Republicans or Democrats, has been to defend the sovereignty and the boundaries of allied nations against outside aggression, not to become embroiled in civil wars.

Mr. Speaker, I am gratified that a debate on these important subjects is being provided by the resolution this rule makes in order. I urge adoption of the rule. I am going to vote for it, and I urge support for the amendment.

being offered by the gentleman from New York [Mr. GILMAN]. If that fails, Mr. Speaker, I think this body is going to have to answer for itself in a very unpleasant fashion somewhere down the road.

Mr. Speaker, I reserve the balance of my time.

Mr. HALL of Ohio. Mr. Speaker, I have no requests for time, and I reserve the balance of my time.

Mr. SOLOMON. Mr. Speaker, I would say to the gentleman that we have several speakers, and, if the gentleman does not intend to use his time, I yield 4 minutes to the gentleman from Florida [Mr. GOSS], a very valuable member of our Committee on Rules.

Mr. GOSS. Mr. Speaker, I thank the gentleman from New York for yielding this time to me.

Normally I would be fighting this type of restricted rule—because debate on the floor of this House should be as free and open as possible to allow all Members a chance to improve the legislative product, especially when we are dealing with having our troops in harm's way. But today, through bipartisan agreement, we bring forward a resolution on Somalia under a restrictive rule—which I will support for pragmatic reasons because it is important that we deal with this debate in a timely way.

In recent months, Somalia has become a household word. Vivid images—first of starving Somalis and later of American casualties after a bungled U.N. military mission—have raised serious questions about the purpose of our mission and the appropriateness of our national response to this crisis.

At this point, Mr. Speaker, most Americans know that it is time for American troops to withdraw from Somalia as soon and as quickly as possible. Today's debate then will be focused on when that is possible. Many Members, including this one, believe that we should be able to extricate ourselves from Somalia within the next weeks—and certainly by the end of January.

Today Members will have the option to vote for the January 31 withdrawal—or to accede to the President's request for a delay until the 31st of March. Given the difficulty this administration has had with formulating and carrying out effective and responsible policy in Somalia and in absence of other compelling reasons—I simply cannot accept the later date. We have had too many American casualties in Somalia already—it is unconscionable that we would keep our young men and women in harm's way one day longer than absolutely necessary.

I simply do not agree with the argument of the distinguished chairman of the Foreign Affairs Committee that the extra 2 months are needed to allow other countries to assume full responsibility for security in Somalia. In

light of recent events that argument rings hollow for me, half of the Foreign Affairs Committee and a great many Americans. True, we need a clear understanding of what our remaining interests are in Somalia and how much manpower is necessary to provide for them. Embassy security, the safety of American citizens and relief workers does not, in my view, justify large-scale commitment of U.S. combat troops.

Mr. Speaker, the United States mission in Somalia has been a moving target—evolving far beyond the bounds of a reasonable humanitarian effort, through an obsessive manhunt phase, a nebulous nation-building expedition, and now idling in a face-saving program.

The Clinton administration must review what went wrong in Somalia, challenge its decisionmaking, and explain to the American people and the families forever scarred by this tragedy why lives had to be lost and why young Americans must continue to serve in such a dangerous and volatile situation. Then it must accept accountability for its mistakes and reassure us that such a terrible blunder will never happen again.

The Clinton administration has proven it can turn a deaf ear to the wishes of the American people—witness the tax-and-spend budget plan forced on this country despite massive popular opposition. But I implore the President to hear the message Americans are sending about Somalia—that it is time to get out now, that saving face is not a good enough reason to remain involved in the Somalia quagmire.

I urge support of the Gilman resolution—let us raise the decibel level on that message in the hopes that eventually the President will hear the people he was elected to serve.

Mr. SOLOMON. Mr. Speaker, I certainly agree with the gentleman from Florida [Mr. GOSS], and now we have another gentleman from Florida—this seems to be Florida day here—who has really led the fight, along with the gentleman from New York [Mr. GILMAN], in trying to bring this issue to the floor of this House, and I commend him for it.

Mr. Speaker, I yield 5 minutes to the gentleman from Florida [Mr. MICA].

Mr. MICA. Mr. Speaker, I rise with a little bit of bitterness and a little bit of sadness this afternoon. I am going to speak against this rule.

This rule is too late. This rule is too late for the dozens of American servicemen who have already given their lives, tragically lost without reason, without a sound U.S. policy. This rule and this debate are also too late for the American taxpayer. They were told by the previous administration that we would be in Somalia in December and out in January, and now we have spent billions of taxpayer dollars in a cha-

rade. This debate and this rule are too late because we had an opportunity, we had an opportunity many months ago, as the gentleman from New York [Mr. SOLOMON] pointed out; before the Committee on Rules in defense authorization we had that opportunity, and in the Defense appropriation we had that opportunity.

□ 1400

We were supposed to be out of Somalia in January. We were not out of Somalia in January. January went, February went, March went, April went, and then we heard the excuses.

We were appalled by the amount of American taxpayer dollars being poured into this folly. Where were the conservatives? Where were the liberals, the people who were concerned about American cities, Americans who go without education, who go homeless on the street, Americans who are struggling to pay their taxes and exist as loyal Americans? Their money was being poured down the drain, and no one would listen.

When I introduced legislation to withdraw our troops, no one would listen, and when I begged the Rules Committee time and time again to allow an amendment on this floor, that is when we should have had the debate, before we saw the headlines, before we heard the newscasts on our nightly news. When our American youths went in there to save children and our American youths were being killed, then they all rushed to this floor.

What is sad is that the debate now is whether we will take our troops out in January or March. That is not the real question here. The question is that we made a mistake. This administration tried to save face, and this Congress went along with the deal. That deal is not good, and the deal before us today, whether it was cut in a bipartisan fashion, is not good. The rule is too late; the debate is too late. We have lost American lives, we have lost the confidence of the American people, and we have cost the American taxpayer.

So that is why it is with reluctance, sadness, and bitterness that I rise on the floor of the House this afternoon and urge my colleagues to speak and vote against this rule.

Mr. Speaker, this rule is too late, and this debate is too late.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would just begin to sum up by commending the gentleman from Florida [Mr. MICA] for his comments.

If we were to bring our troops home by January 1994, we would probably save the taxpayers of this Nation about \$500 million. That is a half-billion dollars.

I recall just a month or so ago speaking to the North Atlantic Assembly, the political arm of NATO. We were debating just exactly what the policy

should be for NATO as it concerned Bosnia. And at that time, Mr. Speaker, our own NATO allies were urging the United States of America to participate in going into such places as Rwanda, Somalia, southern Iraq, Angola, Cambodia, El Salvador, Western Sahara, Yugoslavia, Bosnia—the list goes on and on and on.

Mr. Speaker, at that time I recalled to the North Atlantic Assembly that the North Atlantic Treaty Organization was formed for the specific purpose of protecting the boundaries of nations and not trying to interfere in internal disputes. That is exactly what we are doing now in Somalia by going beyond the humanitarian relief efforts which were completed, as the gentleman from Florida [Mr. MICA] said, back in January of this year, 8 or 9 months ago.

We have no business being there in a nation-building objective. That is why we should adopt this rule and we should agree to the amendment the gentleman from New York [Mr. GILMAN] will be offering. We should bring our troops home once and for all.

Mr. Speaker, I submit with my remarks certain printed and tabular material concerning the rules process, as follows:

OPEN VERSUS RESTRICTIVE RULES 95TH–103D CONG.

Congress (years)	Total rules granted ¹	Open rules		Restrictive rules	
		Number	Percent ²	Number	Percent ³
95th (1977–78)	211	179	85	32	15
96th (1979–80)	214	161	75	53	25
97th (1981–82)	120	90	75	30	25
98th (1983–84)	155	105	68	50	32
99th (1985–86)	115	65	57	50	43
100th (1987–88)	123	66	54	57	46

OPEN VERSUS RESTRICTIVE RULES: 103D CONG.

Rule number date reported	Rule type	Bill number and subject	Amendments submitted	Amendments allowed	Disposition of rule and date
H. Res. 58, Feb. 2, 1993	MC	H.R. 1: Family and medical leave	30 (D–5; R–25)	3 (D–0; R–3)	PQ: 246–176. A: 259–164. (Feb. 3, 1993).
H. Res. 59, Feb. 3, 1993	MC	H.R. 2: National Voter Registration Act	19 (D–1; R–18)	1 (D–0; R–1)	PQ: 248–171. A: 249–170. (Feb. 4, 1993).
H. Res. 103, Feb. 23, 1993	C	H.R. 920: Unemployment compensation	7 (D–2; R–5)	0 (D–0; R–0)	PQ: 243–172. A: 237–178. (Feb. 24, 1993).
H. Res. 106, Mar. 2, 1993	MC	H.R. 20: Hatch Act amendments	9 (D–1; R–8)	3 (D–0; R–3)	PQ: 248–166. A: 249–163. (Mar. 3, 1993).
H. Res. 119, Mar. 9, 1993	MC	H.R. 4: NIH Revitalization Act of 1993	13 (D–4; R–9)	8 (D–3; R–5)	PQ: 247–170. A: 248–170. (Mar. 10, 1993).
H. Res. 132, Mar. 17, 1993	MC	H.R. 1335: Emergency supplemental Appropriations	37 (D–8; R–29)	1 (not submitted) (D–1; R–0)	A: 240–185. (Mar. 18, 1993).
H. Res. 133, Mar. 17, 1993	MC	H. Con. Res. 64: Budget resolution	14 (D–2; R–12)	4 (D–0 not submitted) (D–2; R–2)	PQ: 250–172. A: 251–172. (Mar. 18, 1993).
H. Res. 138, Mar. 23, 1993	MC	H.R. 670: Family planning amendments	20 (D–8; R–12)	9 (D–4; R–5)	PQ: 252–164. A: 247–169. (Mar. 24, 1993).
H. Res. 147, Mar. 31, 1993	C	H.R. 1430: Increase Public debt limit	6 (D–1; R–5)	0 (D–0; R–0)	PQ: 244–168. A: 242–170. (Apr. 1, 1993).
H. Res. 149, Apr. 1, 1993	MC	H.R. 1578: Expedited Rescission Act of 1993	8 (D–1; R–7)	3 (D–1; R–2)	A: 212–208. (Apr. 28, 1993).
H. Res. 164, May 4, 1993	O	H.R. 820: Nate Competitiveness Act	NA	NA	A: Voice Vote. (May 5, 1993).
H. Res. 171, May 18, 1993	O	H.R. 873: Gallatin Range Act of 1993	NA	NA	A: Voice Vote. (May 20, 1993).
H. Res. 172, May 18, 1993	O	H.R. 1159: Passenger Vessel Safety Act	NA	NA	A: 308–0. (May 24, 1993).
H. Res. 173, May 18, 1993	MC	S.J. Res. 45: United States forces in Somalia	6 (D–1; R–5)	6 (D–1; R–5)	A: Voice Vote. (May 20, 1993).
H. Res. 183, May 25, 1993	O	H.R. 2244: 2d supplemental appropriations	NA	NA	A: 251–174. (May 26, 1993).
H. Res. 186, May 27, 1993	MC	H.R. 2264: Omnibus budget reconciliation	51 (D–19; R–32)	8 (D–7; R–1)	PQ: 252–178. A: 236–194. (May 27, 1993).
H. Res. 192, June 9, 1993	MC	H.R. 2348: Legislative branch appropriations	50 (D–6; R–44)	6 (D–3; R–3)	PQ: 240–177. A: 226–185. (June 10, 1993).
H. Res. 193, June 10, 1993	O	H.R. 2200: NSA authorization	NA	NA	A: 244–176. (June 14, 1993).
H. Res. 195, June 14, 1993	MC	H.R. 5: Striker replacement	7 (D–4; R–3)	2 (D–1; R–1)	A: 244–176. (June 15, 1993).
H. Res. 197, June 15, 1993	MC	H.R. 2333: State Department, H.R. 2404: Foreign aid	53 (D–20; R–33)	27 (D–12; R–15)	A: 294–129. (June 16, 1993).
H. Res. 199, June 16, 1993	C	H.R. 1876: Ext. of "Fast Track"	NA	NA	A: Voice Vote. (June 22, 1993).
H. Res. 200, June 16, 1993	MC	H.R. 2295: Foreign operations appropriations	33 (D–11; R–22)	5 (D–1; R–4)	A: 263–160. (June 17, 1993).
H. Res. 201, June 17, 1993	O	H.R. 2403: Treasury-postal appropriations	NA	NA	A: Voice Vote. (June 17, 1993).
H. Res. 203, June 22, 1993	MO	H.R. 2445: Energy and Water appropriations	NA	NA	A: Voice Vote. (June 23, 1993).
H. Res. 205, June 23, 1993	O	H.R. 2150: Coast Guard authorization	NA	NA	A: 401–0. (July 30, 1993).
H. Res. 217, July 14, 1993	MO	H.R. 2010: National Service Trust Act	NA	NA	A: 261–164. (July 21, 1993).
H. Res. 218, July 20, 1993	O	H.R. 2530: BLM authorization, fiscal year 1994–95	NA	NA	
H. Res. 220, July 21, 1993	MC	H.R. 2667: Disaster assistance supplemental	14 (D–8; R–6)	2 (D–2; R–0)	PQ: 245–178. F: 205–216. (July 22, 1993).
H. Res. 226, July 23, 1993	MC	H.R. 2667: Disaster assistance supplemental	15 (D–8; R–7)	2 (D–2; R–0)	A: 224–205. (July 27, 1993).
H. Res. 229, July 28, 1993	MO	H.R. 2330: Intelligence Authority Act, fiscal year 1994	NA	NA	A: Voice Vote. (Aug. 3, 1993).
H. Res. 230, July 28, 1993	O	H.R. 1964: Maritime Administration authority	NA	NA	A: Voice Vote. (July 29, 1993).
H. Res. 246, Aug. 6, 1993	MO	H.R. 2401: National Defense authority	149 (D–109; R–40)	NA	A: 246–172. (Sept. 8, 1993).
H. Res. 248, Sept. 9, 1993	MO	H.R. 2401: National defense authorization	12 (D–3; R–9)	1 (D–1; R–0)	PQ: 237–169. A: 234–169. (Sept. 13, 1993).
H. Res. 250, Sept. 13, 1993	MC	H.R. 1340: RTC Completion Act	NA	NA	A: 213–191–1. (Sept. 14, 1993).
H. Res. 254, Sept. 22, 1993	MO	H.R. 2401: National Defense authorization	91 (D–67; R–24)	NA	A: 241–182. (Sept. 28, 1993).
H. Res. 262, Sept. 28, 1993	O	H.R. 1845: National Biological Survey Act	NA	NA	A: 238–188. (10/06/93).
H. Res. 264, Sept. 28, 1993	MC	H.R. 2351: Arts, humanities, museums	7 (D–0; R–7)	3 (D–0; R–3)	PQ: 240–185. A: 225–195. (Oct. 14, 1993).
H. Res. 265, Sept. 29, 1993	MC	H.R. 3167: Unemployment compensation amendments	3 (D–1; R–2)	2 (D–1; R–1)	A: 239–150. (Oct. 15, 1993).
H. Res. 269, Oct. 6, 1993	MO	H.R. 2739: Aviation infrastructure investment	N/A	N/A	A: Voice Vote. (Oct. 7, 1993).
H. Res. 273, Oct. 12, 1993	MC	H.R. 3167: Unemployment compensation amendments	3 (D–1; R–2)	2 (D–1; R–1)	PQ: 235–187. F: 149–254. (Oct. 14, 1993).
H. Res. 274, Oct. 12, 1993	MC	H.R. 1804: Goals 2000 Educate America Act	15 (D–7; R–7; I–1)	10 (D–7; R–3)	A: Voice Vote. (Oct. 13, 1993).
H. Res. 282, Oct. 20, 1993	C	H.J. Res. 281: Continuing appropriations through Oct. 28, 1993	N/A	N/A	A: Voice Vote. (Oct. 21, 1993).
H. Res. 286, Oct. 27, 1993	O	H.R. 334: Lumber Recognition Act	N/A	N/A	A: Voice Vote. (Oct. 28, 1993).
H. Res. 287, Oct. 27, 1993	C	H.J. Res. 283: Continuing appropriations resolution	1 (D–0; R–0)	0	A: 252–170. (Oct. 28, 1993).
H. Res. 289, Oct. 28, 1993	O	H.R. 2151: Maritime Security Act of 1993	N/A	N/A	A: Voice Vote. (Nov. 3, 1993).
H. Res. 293, Nov. 4, 1993	MC	H. Con. Res. 170: Troop withdrawal Somalia	N/A	N/A	

Note.—Code: C-Closed; MC-Modified closed; MO-Modified open; O-Open; D-Democrat; R-Republican; PQ: Previous question; A-Adopted; F-Failed.

Mr. GILMAN. Mr. Speaker, I am pleased to associate myself with the remarks of Mr. SOL-OMON, the distinguished ranking Republican member of the Rules Committee, in support of the rule to enable debate on House Concurrent Resolution 170, calling for withdrawal of United States Forces from Somalia by January 31.

The debate that this rule will make in order is long overdue. It is time for the House of Representatives to reassert itself in the formulation of United States policy in Somalia. I'm certain that many Members have shared my frustration as we sat on the sidelines over the last several months, while the administration

and the other body negotiated the terms of United States involvement in Somalia.

It was in order to allow the House to have a meaningful debate on this important issue that, along with the distinguished ranking Republican member of the Committee on Armed Service, the Gentleman from South Carolina [Mr. SPENCE] I introduced House Concurrent Resolution 170.

Our resolution is a concurrent resolution pursuant to section 5(c) of the War Powers Resolution. As originally introduced, House Concurrent Resolution 170 directed the President to withdraw United States Armed Forces from Somalia by January 31, 1994. In marking up the resolution, the Committee on Foreign

OPEN VERSUS RESTRICTIVE RULES 95TH–103D CONG.—Continued

Congress (years)	Total rules granted ¹	Open rules		Restrictive rules	
		Number	Percent ²	Number	Percent ³
101st (1989–90)	104	47	45	57	55
102d (1991–92)	109	37	34	72	66
103d (1993–94)	43	11	26	32	74

¹ Total rules counted are all order of business resolutions reported from the Rules Committee which provide for the initial consideration of legislation, except rules on appropriations bills which only waive points of order. Original jurisdiction measures reported as privileged are also not counted.

² Open rules are those which permit any Member to offer any germane amendment to a measure so long as it is otherwise in compliance with the rules of the House. The parenthetical percentages are open rules as a percent of total rules granted.

³ Restrictive rules are those which limit the number of amendments which can be offered, and include so-called modified open and modified closed rules, as well as completely closed rule, and rules providing for consideration in the House as opposed to the Committee of the Whole. The parenthetical percentages are restrictive rules as a percent of total rules granted.

Sources "Rules Committee Calendars & Surveys of Activities," 95th–102d Cong.; "Notices of Action Taken," Committee on Rules, 103d Cong., through Nov. 5, 1993.

Affairs decided by a one-vote margin to substitute March 31, 1994, for the date we originally proposed. I am pleased that this rule makes in order a substitute amendment I will offer tomorrow to restore the January 31 date.

So far as I am aware, there is general agreement regarding the legal effect of our resolution. A 1983 Supreme Court decision makes clear that section 5(c) of the War Powers Resolution cannot require the President to withdraw U.S. forces from a foreign country upon adoption of a concurrent resolution like House Concurrent Resolution 170. This means that, if we pass this concurrent resolution, the effect will be the same as the effect of passing any other concurrent resolution—it

will express the opinion of the Congress, but have no binding legal effect on the President.

I would prefer for us to debate and vote on a measure that would have binding legal effect. In fact, Mr. SPENCE and I introduced such a measure, H.R. 3292, that was essentially the same as the Byrd amendment to the fiscal year 1994 Defense appropriations bill adopted by the other body last month. The main difference between our bill and the Byrd amendment was that ours moved up the date for withdrawal of U.S. forces from March 31, 1994, to January 31.

It was made clear to us, however, that H.R. 3292 would not be scheduled for action. Our only recourse, therefore, was to offer this non-binding resolution.

I know that some Members are concerned about tying the President's hands by setting a firm date for withdrawing our U.S. forces and I am very sympathetic to their concern. The Byrd amendment, however, will cut off funds for United States combat troops in Somalia after March 31. The Byrd amendment almost certainly will become law. The other body has passed it, the administration does not object to it, and the House has instructed its conferees to recede to it.

The Byrd amendment is a far more serious restriction on the President's flexibility than House Concurrent Resolution 170, which will not legally bind the President.

Members concerned about tying the President's hands should find it much easier to vote for House Concurrent Resolution 170 than for the Byrd amendment.

Because the Byrd amendment sets a deadline—enforced by a funding cutoff—for the withdrawal of United States forces from Somalia, there no longer is any question about whether Congress will set a deadline. The question posed by House Concurrent Resolution 170 is what that deadline should be.

The Byrd amendment sets the deadline at March 31. The substitute amendment I will offer tomorrow sets the deadline 2 months earlier, at January 31.

In deciding which of these dates is preferable, we need to look at what our forces are doing in Somalia. Let me read from a Washington Post article that appeared 1 week ago today:

[T]he nearly completed buildup of American combat forces in Somalia is starting to seem more irrelevant than daring. U.S. combat troops . . . are all but invisible. . . . U.S. military commanders are focusing almost exclusively on one goal: keeping American casualties to a minimum until the planned U.S. withdrawal next March.

Today's Washington Post reports that United States officials are now considering using our forces in Somalia more aggressively, and that Somalia warlord Mohamed Farah Aided is warning that doing this may lead to another bloody confrontation like the one last month in which 18 Americans were killed and 75 wounded. Today's story goes on to say that the peace process in Somalia is stalled because U.N. officials in Mogadishu are being:

Surprisingly inflexible, refusing, for example, to back away from their public insistence on arresting Aided without first having a Security Council vote.

Mr. Speaker, I request that both articles be included in the RECORD.

Mr. Speaker, if our forces in Somalia aren't going to do anything except lay low and avoid casualties, we should bring them home. If they are about to get into another confrontation with Somali warlords in hopes of buying leverage in negotiations, that too is misguided, and instead they should be brought home.

The reality is, Mr. Speaker, that the administration surrendered its leverage over the Somali warlords when it announced that United States forces would be withdrawn by March 31 no matter what. It is a dangerous fantasy to believe that prolonging that withdrawal longer than absolutely necessary to complete it will enable our diplomats to negotiate an agreement they can't negotiate today.

Let's not prolong the agony. Let's not become complicit in a policy that may cause unnecessary American casualties between January 31 and March 31. I urge my colleagues to support this rule and my substitute amendment to House Concurrent Resolution 170.

[From the Washington Post, Nov. 1, 1993]

GI'S IN SOMALIA DIG, DUCK, AND COVER

(By John Lancaster)

MOGADISHU, Somalia, Oct. 31.—On the mean streets of this divided capital, the nearly completed buildup of American combat forces in Somalia is starting to seem more irrelevant than daring.

U.S. combat troops—3,600 Army soldiers backed by the same number of Marines on ships nearby—are all but invisible here. They do not patrol city streets or enforce the United Nations ban on openly carried weapons and militia checkpoints.

Instead, the evolving American military strategy in Somalia might best be described as duck and cover. While gunmen rule the streets outside, American soldiers live in vast, protected enclaves linked by specially constructed bypass roads, avoiding all but occasional contact with the city they were sent to help secure. For now, at least, U.S. military commanders are focusing almost exclusively on one goal: keeping American casualties to a minimum until the planned U.S. withdrawal next March.

"You've got this huge force flying in with nothing to do but protect its perimeters and bases," said one frustrated U.S. officer. "Meanwhile, everything is going to hell in a handbasket on the outside."

There are, of course, good reasons for caution. With the forces of faction leader Mohamed Farah Aided holding their fire against American and U.N. troops, U.S. commanders want to avoid offensive measures that could foil diplomatic efforts to broker a peace settlement among Aided and rival clans.

On the other hand, there is no evidence that President Clinton is fulfilling his pledge to "keep open and secure the key roads and lines of communication" in Somalia and "keep the pressure on" armed looters and factional fighters.

Despite the cease-fire, security in Mogadishu as eroded in recent days, with gunmen and militia checkpoints reappearing on city streets amid renewed clashes among rival sub-clans. U.N. and American civilian officials complain privately that they now have more difficulty moving around the city than during four months of sporadic combat with Aided's forces after the United Nations ordered the militia leader's arrest. In addition, they say, factional tensions and extortion threats are once more interfering with relief operations here.

"Checkpoints, gunmen running around town—that's got to stop," said a U.S. gov-

ernment official here who asked not to be named. "The city throughout the war with Aided was functioning better than it is now. Now, you can't get across town."

The official added: "We keep building wider bypasses instead of dealing with whatever the problem is that's forcing us to build wider bypasses. It's the classic military conundrum. Are you more secure improving your fortifications or going out more aggressively and patrolling?"

The deteriorating security situation—and the absence of any U.S. military response—prompted a cable from the American diplomatic mission here to the State Department late last week expressing concern that U.S. forces have "totally pulled back," according to a U.S. official familiar with its contents.

U.S. military officers too are frustrated by what they describe as an absence of clear guidance from Washington. They are hoping to receive such guidance this week from Clinton's special envoy to Somalia, Robert B. Oakley, who arrives here Monday in a bid to jump-start stalled political negotiations among rival clans. Oakley met last week with members of the military's Joint Staff to try to clarify the U.S. military mission, a U.S. official said.

"I'd call it 'Waiting for Oakley,'" said a U.S. official here of the posture of American forces. "I do not think that in the end events will allow us to carry out the policy as it exists right now and achieve the desired results. There will have to be choices made."

At present, the diplomatic process is stalled, with Aided refusing to send delegates to U.N.-sponsored political talks. U.S. officials say Oakley has little chance of breaking the deadlock so long as Aided believes he has nothing to fear from the expanded U.S. military presence here. "I suspect [Oakley] is going to give them [U.S. forces] a little more room to maneuver," as U.S. official said. "Something needs to be done."

For now, soldiers devote most of their professional energies to self-preservation—stringing barbed wire, filling sandbags and plotting defensive artillery coordinates in keeping with the "force protection" mission that U.S. commanders say is their number-one priority. Even the formidable U.S. armored contingent—30 M-1A1 tanks, 48 Bradley Fighting Vehicles and eight self-propelled howitzers—will for now be parked at a remote base being bulldozed out of an old surface-to-air missile site several miles outside the city.

The U.S. decision to dig in rather than move out also has affected the posture of multinational U.N. peacekeeping troops. These troops were supposed to serve as the front-line enforcers of security in Mogadishu, with the American soldiers standing by for emergencies. But the arrival of the American reinforcements has done little to boost the confidence of their U.N. partners, who remain largely confined to 11 U.N. strongholds around the city.

In keeping with their non-confrontational approach, American and U.N. military commanders sought to negotiate with representatives of Aided's political organization, the Somali National Alliance, after members of his militia began brandishing weapons in full view of several Pakistani strong-points last week. But when they convened a meeting Saturday of a newly formed "security advisory committee" purported to include each of the city's 15 factions and clan groups, only four representatives showed up, none from Aided's faction.

Later in the day, American helicopters dropped leaflets over the city explaining

once again the U.N. rules against the open display of weapons. But the message seemed to have eluded a jeering mob of armed Somalis who showed up today outside the hotel in Mogadishu where most foreign journalists stay after members of a rival faction held a news conference there. The latter escaped by car after firing a warning shot in the air.

American helicopter pilots who fly reconnaissance patrols over the city still report occasional gunfire in their direction, but they too are exercising extreme restraint. During a battle between Somali factions last Monday, the pilot of a U.S. helicopter spotted through his targeting camera the Somali who had just tried unsuccessfully to kill him with a rocket-propelled grenade, according to a senior officer. But the pilot elected not to return fire.

The American retreat from the streets has been accompanied by a rise in thuggery and factional violence, which once more has begun to interfere with humanitarian relief work here. Last week, the port was virtually shut down for three days after Somalis from south Mogadishu prevented rivals from the northern half of the city from reporting to their jobs as dockworkers, port officials said.

The anarchy of city streets contrasts sharply with the largely self-contained world of the adjoining U.N. and American compounds here. Behind the fortified walls are orderly rows of tents and air-conditioned trailers, volleyball courts and an Israeli-run post exchange featuring shaded outdoor seating and cold canned beer.

[From the Washington Post, Nov. 8, 1993]

AIDEED WARNS U.S. TROOPS OFF STREETS (By Keith B. Richburg)

MOGADISHU, Somalia, Nov. 7.—Somalia militia leader Mohamed Farah Aidede warned the United States today to restrict the thousands of new American combat troops in Mogadishu to their barracks or risk "another bloody confrontation" such as the one last month that left 18 U.S. servicemen dead and 75 wounded.

"We are calling for the U.S. troops to confine [themselves] to their positions to avoid a repetition of the unfortunate events of the past," Aidede said in a rare news conference held in a largely abandoned villa in a neighborhood of dusty roads and alleyways that he controls. Aidede said deploying the U.S. troops now to retake the capital's streets from rival militias would be considered "provocative" and would violate an uneasy, month-long truce between U.S.-led United Nations forces here and Aidede's Somalia National Alliance (SNA) militia faction.

American diplomats and military officials here have said the U.S. infantrymen, backed by newly arrived MI tanks and Bradley Fighting Vehicles, would begin patrolling the city's main roads in the coming days, to reopen "lines of communication," secure the major supply routes and reestablish a visible foreign troop presence in the capital's dangerous streets, which lately have fallen back into the hands of gun-toting teenagers.

But Aidede, reacting to reports that a U.S. troop move into the streets was imminent, said, "There are no closed roads in Mogadishu."

Now Mogadishu is calm and business activities are running smoothly. Therefore, we see no viable reason for the deployment of foreign troops."

Speaking to about two dozen reporters and television camera crews, Aidede—who is technically still a fugitive from a U.N. arrest order—ruled out any negotiations with the United Nations to help end the six-month-

long crisis in the capital, and he called on all U.N. troops to be withdrawn from Somalia.

"There is no negotiation for the moment, and I am not expecting any," Aidede said. He said the U.N. Operation in Somalia, known as UNOSOM, "has lost the confidence of the Somali people" and should "give up this operation in Somalia and leave the country."

Aidede's comments today were his first public statement in three weeks and seemed to indicate that following his earlier, conciliatory gestures—including releasing an American pilot and a Nigerian soldier that his militia had held captive—he is now moving back to a more confrontational position.

Senior members of Aidede's militia have expressed mounting frustration that the United Nations did not appear to be eagerly embracing the Clinton administration's recent policy shift toward dialogue and away from a military manhunt for Aidede, whose arrest the United Nations ordered for his suspected involvement in the ambush killings of 24 Pakistani peace keepers in June. U.N. officials here say they still want to capture Aidede.

It was uncertain, however, whether Aidede's remarks today indicated merely a rhetorical shift to a more confrontational tone or whether a resumption of military clashes in the capital is now likely. Aidede did not say specifically that American troops would be attacked if they took to the streets, but he said that deploying them now "would be a provocative action . . . an unnecessary step."

As a sign of some diplomatic thawing, the United Nations said today it had released 16 of the 58 Somali prisoners it was holding. None of the top SNA officials in custody was among those released.

One of the released prisoners, Abdi Farah, showed reporters marks on his wrists that he said were caused by the plastic handcuffs used by U.S. Army Rangers who captured him Oct. 3. He said he had been hit with rifle butts, but he showed no other outward signs of having been beaten. A senior U.N. official said today that at least some of the Somali prisoners had been on a hunger strike recently.

U.N. officials have said all the Somali detainees are being given medical treatment and have been allowed visits by the International Committee of the Red Cross. Reporters have been prohibited from seeing them or even entering the white, single-story detention facility where they are being kept under guard by Nigerian peace-keeping soldiers and military police.

Despite his warnings to the United States not to deploy its troops on the capital's streets, Aidede today appeared to go to some lengths to praise President Clinton for shifting U.S. policy on Somalia and blamed the United Nations for the continued stalemate in negotiations. He said UNOSOM "is responsible for the current crisis and proves to be the biggest obstacle to peace and reconciliation in Somalia."

Others involved in the ongoing diplomatic maneuverings agreed that the peace process appears to have stalled, and they said the United Nations must shoulder a large share of the blame. American diplomats and Africans helping mediate the conflict said U.N. officials here in Mogadishu were showing themselves to be surprisingly inflexible, refusing, for example, to back away from their public insistence on arresting Aidede without first having a Security Council vote to change their resolution authorizing the arrest.

Aidede last appeared at a news conference Oct. 14, when he announced the release of the

American and Nigerian captives. Today, he appeared fit and in good humor for a man often described by U.N. officials as "hunted" and on the run. He wore a crisp white shirt, a silk tie and new wire-rim glasses he obtained while in hiding.

Aidede arrived at the hour-long news conference site in a white Toyota. Outside the villa, children on the streets chanted "Aidede! Aidede!" and flashed the victory sign.

Mr. SOLOMON. Mr. Speaker, I yield back the balance of my time.

Mr. HALL of Ohio. Mr. Speaker, I have no requests for time, and I move the previous question on the resolution, as amended.

The previous question was ordered.

The SPEAKER pro tempore (Mr. MAZZOLI). The question is on the resolution, as amended.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SOLOMON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I, further proceedings on this resolution will be postponed until 4 o'clock this afternoon, just prior to the pending vote on the motion to suspend the rules.

ANNOUNCEMENT REGARDING PLANS OF THE COMMITTEE ON RULES FOR CONSIDERATION OF H.R. 3425 AND H.R. 3351

(Mr. HALL of Ohio asked and was given permission to address the House for 1 minute.)

Mr. HALL of Ohio. Mr. Speaker, this is to notify Members regarding the Rules Committee plans on H.R. 3425, the Department of Environmental Protection Act and H.R. 3351, Allowing Grants for Developing Alternative Methods of Punishment for Young Offenders. The committee is planning to meet on both measures the week of November 15 to take testimony and grant rules for these bills. In order to assure timely consideration on the bill on the floor, the Rules Committee is considering rules that may limit the offering of amendments.

Any Member who is contemplating an amendment to H.R. 3425 or to H.R. 3351, should submit, to the Rules Committee in H-312 in the Capitol, 55 copies of the amendment and a brief explanation of the amendment no later than 5:00 p.m. on Wednesday, November 10, 1993.

In addition to this announcement, "Dear Colleague, letters have already been circulated to all offices informing Members of these requests.

The committee appreciates the cooperation of all Members in this effort to be fair and orderly in granting rules for H.R. 3425 and H.R. 3351.

GENERAL LEAVE

Mr. HALL of Ohio. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days in which to revise and extend their remarks during debate on House Resolution 293, the rule just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

CONFERENCE REPORT ON H.R. 3167, UNEMPLOYMENT COMPENSATION AMENDMENTS OF 1993

Mr. ROSTENKOWSKI submitted the following conference report and statement on the bill (H.R. 3167) to extend the Emergency Unemployment Compensation Program, to establish a system of worker profiling, and for other purposes:

CONFERENCE REPORT (H. REPT. 103-333)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 3167), to extend the emergency unemployment compensation program, to establish a system of worker profiling, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 1.

That the House recede from its disagreement to the amendment of the Senate numbered 2 and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment numbered 2, insert the following:

SEC. 9. EFFECTIVE DATES.

(a) **REPEAL OF DISREGARD OF RIGHTS TO REGULAR COMPENSATION.**—Notwithstanding the provisions of section 3(b) of this Act, the repeal made by section 3(a) of this Act shall apply to weeks of unemployment beginning after October 2, 1993, except that such repeal shall not apply in determining eligibility for emergency unemployment compensation from an account established before October 3, 1993.

(b) RAILROAD WORKERS.—

(1) **IN GENERAL.**—Paragraphs (1) and (2) of section 501(b) of the Emergency Unemployment Compensation Act of 1991 (Public Law 102-164, as amended), as amended by section 8(a)(1) of this Act, are each amended by striking "January 1, 1994" and inserting "February 5, 1994".

(2) **CONFORMING AMENDMENT.**—Section 501(a) of such Emergency Unemployment Compensation Act of 1991, as amended by section 8(a)(2) of this Act, is amended by striking "January 1994" and inserting "February 1994".

(3) **TERMINATION OF BENEFITS.**—Section 501(e) of such Emergency Unemployment Compensation Act of 1991, as amended by section 8(c) of this Act, is amended—

(A) by striking "January 1, 1994" and inserting "February 5, 1994", and

(B) by striking "March 26, 1994" and inserting "April 30, 1994".

And the Senate agree to the same.

From the Committee on Ways and Means, for consideration of Senate amendment numbered 2, and modifications committed to conference:

DAN ROSTENKOWSKI,
HAROLD FORD,

From the Committee on Post Office and Civil Service, for consideration of Senate amendment numbered 1, and modifications committed to conference:

WILLIAM CLAY,
FRANK MCCLOSKEY,
Managers on the Part of the House.

DANIEL PATRICK MOYNIHAN,
MAX BAUCUS,
BOB PACKWOOD,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 3167), to extend the emergency unemployment compensation program, to establish a system of worker profiling, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The Senate amendment numbered 1 added a provision relating to the reduction of Federal full-time equivalent positions.

The Senate recedes from its amendment numbered 1.

The Senate amendment numbered 2 added a provision relating to limitation in eligibility for emergency unemployment compensation.

The House recedes from its disagreement to the amendment of the Senate numbered 2 with an amendment which is a substitute for the Senate amendment. The differences between the House bill and the Senate amendment, and the substitute amendment agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the conferees, and minor drafting and clerical changes.

I. EMERGENCY UNEMPLOYMENT COMPENSATION (EUC) PROGRAM PRESENT LAW

The Federal Emergency Unemployment Compensation (EUC) program was first enacted in November 1991 and extended most recently by P.L. 103-6 on March 4, 1993. The EUC program, which expired on October 2, provides workers who have exhausted their regular State unemployment benefits (and who began receiving EUC benefits on or before October 2) with 15 weeks of benefits in States with the highest unemployment and 10 weeks of benefits in all other States. States with adjusted insured Unemployment rates (the average of the current week and the preceding 12 weeks) of at least 5 percent, or total unemployment rates (6-month moving average) of at least 9 percent, are eligible to pay the higher number of weeks of benefits. At present, only four States (Alaska, California, Rhode Island, and West Virginia) are eligible to provide 15 weeks of benefits.

The statute provides for a decline to 13 and 7 weeks of benefits if the national unemployment rate falls below 6.8 percent for two consecutive months. The rate for the months of August and September was 6.7 percent.

The EUC program expired on October 2. Unless the program is extended, workers who exhaust their regular State benefits after that date will be ineligible for EUC benefits. Workers who began receiving EUC benefits on or before October 2 will be entitled to the full number of weeks of benefits for which they were found eligible. However, no benefits are payable after January 15, 1994.

Individuals who have exhausted their rights to regular State benefits either because their benefit year has expired or because they have received all of the benefits

to which they are entitled, may elect to receive either EUC benefits or regular State benefits under any new benefit year that has been established.

HOUSE BILL

The EUC program is extended through February 5, 1994. Workers who have exhausted or will exhaust their regular State benefits after October 2 will be eligible for up to 13 weeks of benefits in States with the highest unemployment. In all other States they will be eligible for up to 7 weeks of benefits. Workers who exhaust their regular State benefits after February 5 will not be eligible for EUC benefits. Workers who begin receiving EUC benefits on or before that date will be entitled to the full number of weeks of benefits for which they were found eligible. However, no EUC benefits will be payable after April 30, 1994.

The provision giving individuals the option to choose between EUC benefits and regular State benefits is repealed. After the date of enactment, no new EUC options will be exercised. However, individuals who began or continued EUC based on an option exercised before October 2, 1993, may continue to receive EUC until exhaustion of their EUC account.

SENATE AMENDMENT

Same as House bill.

CONFERENCE AGREEMENT

The Conference agreement follows the House bill and the Senate amendment, modified to provide that no new EUC options may be exercised after October 2, 1993.

II. ADDITIONAL UNEMPLOYMENT COMPENSATION FOR RAILROAD WORKERS PRESENT LAW

Workers in the railroad industry are eligible for a separate unemployment compensation program that provides benefits basically equivalent to those provided under regular State unemployment compensation programs. Railroad workers with under 10 years of railroad service are not eligible for extended benefits. The UC law temporarily provides extended benefits to railroad workers with under 10 years of service and additional weeks of extended benefits to other qualifying railroad workers in order to maintain comparability with the EUC benefits provided to workers in other industries.

HOUSE BILL

Eligible railroad workers will continue to receive the additional benefits provided under the EUC law for other workers through January 1, 1994.

SENATE AMENDMENT

Same as House bill.

CONFERENCE AGREEMENT

The conference agreement follows the House bill and the Senate amendment and conforms the expiration dates for the authorization of new claims and continued claims for railroad workers to that for other workers, which are February 5, 1993, and April 30, 1994, respectively.

III. WORKER PROFILING AND REEMPLOYMENT ASSISTANCE PRESENT LAW

P.L. 103-6, enacted March 4, 1993, directs the Secretary of Labor to establish a program for encouraging the adoption and implementation of State systems of profiling all new claimants for regular unemployment compensation. These systems are to be used to determine which claimants might be most likely to exhaust their regular unemployment compensation benefits and might need

reemployment assistance services to make a successful transition to new employment.

HOUSE BILL

Each State's unemployment agency is required to establish a profiling system as described above, and to refer claimants identified as needing services to reemployment services available under any State or Federal law. The State agency is also required to collect follow-up information relating to the services received by claimants and the employment outcomes for such claimants subsequent to receiving services, and to use this information in making identifications under this profiling system. States that fail to comply substantially with these requirements may be subject to withholding of administrative funds until the Secretary is satisfied that there is no longer any such failure.

In addition, the bill provides that as a condition of eligibility for unemployment compensation benefits, a claimant who has been referred to reemployment services pursuant to the profiling system must participate in these or similar services unless the State agency determines that the claimant has completed such services, or there is justifiable cause for failure to participate.

Reemployment services will include job search assistance and job placement services, such as counseling, testing, and providing occupational and labor market information, assessment, job search workshops, job clubs and referrals to employers, and other similar services.

The Secretary of Labor is directed to provide technical assistance and advice to assist the States in implementing the profiling system, including the development and identification of model profiling systems.

Not later than three years after the date of enactment, the Secretary of Labor is required to report to the Congress on the operation and effectiveness of the profiling system and the participation requirement, with such recommendations as the Secretary determines to be appropriate.

Effective Date.—The profiling requirement is effective one year after the date of enactment.

SENATE AMENDMENT

Same as House bill.

CONFERENCE AGREEMENT

The conference agreement follows the House bill and the Senate amendment.

IV. TECHNICAL AMENDMENT TO UNEMPLOYMENT TRUST FUND

PRESENT LAW

The Emergency Unemployment Compensation Act, as amended, inadvertently included language amending section 905(b)(1) of the Social Security Act. The language assumes enactment of a provision that had been proposed, but never enacted.

HOUSE BILL

The bill restores language in section 905(b)(1) of the Social Security Act that was inadvertently changed by P.L. 102-318. This section provides for the transfer of funds to the State administration accounts.

SENATE AMENDMENT

Same as House bill.

CONFERENCE AGREEMENT

The conference agreement follows the House bill and the Senate amendment.

V. EXTENSION OF REPORTING DATE FOR ADVISORY COUNCIL

PRESENT LAW

P.L. 102-164, the Emergency Unemployment Compensation Amendments of 1991,

provided for the establishment of a quadrennial advisory council on unemployment compensation to examine the purpose, goals, and functioning of the unemployment compensation system, and to make recommendations for improvement. The first report is due by February 1, 1994.

HOUSE BILL

The due date for the first report would be delayed for one year. Subsequent reports would be due the third year following the establishment of the council, rather than the second year.

SENATE AMENDMENT

Same as House bill.

CONFERENCE AGREEMENT

The conference agreement follows the House bill and the Senate amendment.

VI. INCREASE IN SPONSORSHIP PERIOD FOR ALIENS UNDER THE SUPPLEMENTAL SECURITY INCOME (SSI) PROGRAM

PRESENT LAW

The SSI program provides Federal benefits to aged, blind, and disabled individuals whose income and resources are below specified amounts. To be eligible, an individual must be either a citizen of the United States or an alien lawfully admitted for permanent residence or otherwise permanently residing in the United States under color of law.

Under current law, the income and resources of an alien's sponsor are considered in determining the alien's eligibility for SSI benefits. A sponsor is an individual who has signed an affidavit of support as a condition of the alien's admission for permanent residence in the United States. This "deeming" of income and resources applies for 3 years after the alien's entry into the United States. After the 3 years, the alien's eligibility for SSI is determined without regard to the income and resources of the sponsor. The "deeming" requirement does not apply with respect to an individual who becomes disabled or blind after entering the United States.

HOUSE BILL

The period during which the sponsor's income and resources would be "deemed" to the alien would be extended from 3 to 5 years.

Effective Date.—The provision would be effective January 1, 1994 through fiscal year 1996. The provision would not apply in the case of individuals who are eligible for SSI for December 1993 (or whose eligibility is suspended but not terminated) and whose 3-year deeming period ended prior to January 1994. Thus, individuals who apply for SSI benefits on or after January 1, 1994, and individuals on the SSI rolls (because their sponsors' deemed income and resources do not make them ineligible) whose 3-year deeming period has not ended by January 1, 1994, would come under the 5-year rule.

SENATE AMENDMENT

Same as House bill.

CONFERENCE AGREEMENT

The conference agreement follows the House bill and the Senate amendment.

VII. INCOME LIMIT FOR RECIPIENTS OF EUC BENEFITS

PRESENT LAW

Under the permanent Federal-State unemployment insurance program, unemployed individuals who meet eligibility requirements may receive up to 26 weeks of State unemployment benefits without regard to their taxable income. Those individuals who exhaust their regular State benefits, but

continue to be unemployed, are eligible to receive additional weeks of benefits under the temporary emergency unemployment compensation (EUC) program, also without regard to their taxable income.

HOUSE BILL

No provision.

SENATE AMENDMENT

Benefits under the emergency unemployment compensation program may not be paid to any individual whose taxable income for 1992 exceeds \$120,000.

CONFERENCE AGREEMENT

The conference agreement follows the House bill, i.e., no provision.

VIII. LIMITATIONS ON FULL-TIME EQUIVALENT POSITIONS

PRESENT LAW

The President and the Congress, through the enactment of appropriation legislation, determine the number of full-time equivalent positions that may be employed by each agency of the Government. In February 1993, the President, by Executive Order, mandated that employment levels be reduced by 100,000 full-time equivalent positions over 3 years. In September 1993, Vice President Gore's National Performance Review recommended that the Federal workforce be reduced by 252,000 full-time equivalent positions.

HOUSE BILL

No provision.

SENATE AMENDMENT

The President, through the Office of Management and Budget, shall ensure that the total number of full-time equivalent positions in all agencies of the Government shall not exceed 2,095,182 such positions during fiscal year 1994; 2,044,100 positions during fiscal year 1995; 2,003,846 during fiscal year 1996; 1,963,593 during fiscal year 1997; 1,923,339 during fiscal year 1998; and 1,883,086 during fiscal year 1999.

The Office of Management and Budget, after consultation with the Office of Personnel Management, shall continuously monitor all agencies and determine, on the first date of each quarter of each applicable fiscal year, whether the required limitation on full-time equivalent positions has been met, and shall notify the President and the Congress of any determination that such limitation has been exceeded.

If the Office of Management and Budget determines that the applicable limitation on full-time equivalent positions for any fiscal year has been exceeded, no agency may hire any employee for any position until the total number of full-time equivalent positions for all agencies equals or is less than the applicable limitation.

Any of the provisions in the bill may be waived upon a determination by the President of the existence of war or a national security requirement, or the enactment of a joint resolution upon an affirmative vote of three-fifths of the Members of each House of the Congress duly chosen and sworn.

CONFERENCE AGREEMENT

The conference agreement follows the House bill, i.e., no provision.

From the Committee on Ways and Means, for consideration of Senate amendment numbered 2, and modifications committed to conference:

DAN ROSTENKOWSKI,
HAROLD FORD,

From the Committee on Post Office and Civil Service, for consideration of Senate amendment numbered 1, and modifications committed to conference:

WILLIAM CLAY,
FRANK MCCLOSKEY,
Managers on the Part of the House.

DANIEL PATRICK MOYNIHAN,
MAX BAUCUS,
BOB PACKWOOD,
Managers on the Part of the Senate.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 4 p.m. today.

Accordingly (at 2 o'clock and 8 minutes p.m.), the House stood in recess until 4 p.m.

□ 1600

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. YATES) at 4 p.m.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

PROVIDING FOR CONSIDERATION OF HOUSE CONCURRENT RESOLUTION 170, REMOVAL OF UNITED STATES ARMED FORCES FROM SOMALIA

The SPEAKER pro tempore. The pending business is the vote on House Resolution 293.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 390, nays 8, not voting 35, as follows:

[Roll No. 548]

YEAS—390

Abercrombie	Bishop	Clyburn
Ackerman	Blackwell	Coble
Allard	Bliley	Coleman
Andrews (ME)	Boehlert	Collins (GA)
Andrews (NJ)	Boehner	Collins (IL)
Andrews (TX)	Bonilla	Collins (MI)
Applegate	Bonior	Combest
Archer	Borski	Condit
Armey	Boucher	Conyers
Bacchus (FL)	Brewster	Cooper
Bacchus (AL)	Brooks	Coppersmith
Baesler	Browder	Costello
Baker (CA)	Brown (CA)	Cox
Baker (LA)	Brown (FL)	Coyne
Ballenger	Bryant	Cramer
Barca	Bunning	Crapo
Barclay	Burton	Cunningham
Barlow	Buyer	Danner
Barrett (NE)	Byrne	Darden
Barrett (WI)	Callahan	de la Garza
Bartlett	Calvert	Deal
Bateman	Canady	DeLauro
Bellenson	Cantwell	DeLay
Bentley	Cardin	Derrick
Bereuter	Carr	Deutsch
Berman	Castle	Diaz-Balart
Bevill	Clayton	Dickey
Bilbray	Clement	Dicks
Bilirakis	Clinger	

Dingell	Kildee	Pomeroy
Dixon	Kim	Porter
Doolittle	King	Portman
Dornan	Kingston	Poshard
Dreier	Klecza	Price (NC)
Duncan	Klein	Pryce (OH)
Dunn	Klink	Quillen
Durbin	Klug	Quinn
Edwards (CA)	Knollenberg	Rahall
Edwards (TX)	Kolbe	Ramstad
Emerson	Kopetski	Rangel
Engel	Kreidler	Ravenel
English (AZ)	Kyl	Reed
English (OK)	LaFalce	Regula
Eshoo	Lambert	Reynolds
Evans	Lancaster	Richardson
Everett	Lantos	Ridge
Farr	LaRocco	Roberts
Fawell	Laughlin	Roemer
Fazio	Lazio	Rogers
Fields (LA)	Leach	Rohrabacher
Fields (TX)	Lehman	Ros-Lehtinen
Fligner	Levin	Rose
Fingerhut	Levy	Rostenkowski
Fish	Lewis (GA)	Roth
Foglietta	Lightfoot	Roukema
Ford (MI)	Linder	Rowland
Ford (TN)	Lipinski	Roybal-Allard
Fowler	Livingston	Royce
Franks (CT)	Lloyd	Rush
Franks (NJ)	Long	Sabo
Frost	Lowey	Sanders
Furse	Machtley	Santorum
Gallegly	Maloney	Sarpallus
Gallo	Mann	Sawyer
Gejdenson	Manton	Saxton
Gekas	Manzullo	Schaefer
Gephardt	Margolies-	Schiff
Geren	Mezvinsky	Schroeder
Gilchrest	Markay	Schumer
Gillmor	Martinez	Scott
Gilman	Matsui	Sensenbrenner
Gingrich	Mazzoli	Serrano
Glickman	McCandless	Sharp
Gonzalez	McCloskey	Shaw
Goodlatte	McCollum	Shays
Gordon	McCrery	Shepherd
Goss	McCurdy	Shuster
Grams	McDade	Sistisky
Grandy	McDermott	Skaggs
Green	McHale	Skeen
Greenwood	McHugh	Skelton
Gunderson	McInnis	Slaughter
Gutierrez	McKeon	Smith (IA)
Hall (OH)	McMillan	Smith (MI)
Hall (TX)	McNulty	Smith (NJ)
Hamburg	Meehan	Snowe
Hamilton	Menendez	Solomon
Hancock	Meyers	Spence
Hansen	Mfume	Stearns
Hastert	Michel	Stenholm
Hastings	Miller (CA)	Strickland
Hayes	Miller (FL)	Studds
Hefley	Mineta	Stump
Hefner	Minge	Stupak
Herger	Mink	Swett
Hilliard	Molinari	Swift
Hoagland	Montgomery	Synar
Hobson	Moorhead	Talent
Hochbrueckner	Moran	Tanner
Hoekstra	Morella	Tauzin
Hoke	Murphy	Taylor (MS)
Holden	Myers	Taylor (NC)
Horn	Nadler	Tejeda
Houghton	Natcher	Thomas (CA)
Hoyer	Neal (MA)	Thomas (WY)
Hughes	Neal (NC)	Thompson
Hutchinson	Nussle	Thornton
Hutto	Oberstar	Thurman
Hyde	Obey	Torkildsen
Inglis	Oliver	Torres
Inhofe	Ortiz	Torricelli
Inslee	Orton	Towns
Istook	Oxley	Trafficant
Jacobs	Packard	Tucker
Jefferson	Pallone	Unsoeld
Johnson (CT)	Parker	Upton
Johnson (GA)	Pastor	Valentine
Johnson, E.B.	Paxon	Velázquez
Johnson, Sam	Payne (NJ)	Vento
Johnston	Payne (VA)	Visclosky
Kanjorski	Pelosi	Volkmer
Kaptur	Penny	Vucanovich
Kasich	Peterson (FL)	Walker
Kennedy	Peterson (MN)	Walsh
Kennelly	Pombo	Washington

Waters
Watt
Waxman
Weldon
Wheat
Whitten

Williams
Wilson
Wolf
Woolsey
Wyden
Wynn

Yates
Young (AK)
Young (FL)
Zeliff

NAYS—8

Dellums
Goodling
Huffington

Hunter
McKinney
Mica

Owens
Zimmer

NOT VOTING—35

Barton
Becerra
Blute
Brown (OH)
Camp
Chapman
Clay
DeFazio
Dooley
Ewing
Flake
Frank (MA)

Gibbons
Harman
Hinchey
Johnson (SD)
Lewis (CA)
Lewis (FL)
Meek
Moakley
Mollohan
Murtha
Petri
Pickett

Pickle
Sangmeister
Schenk
Slattery
Smith (OR)
Smith (TX)
Spratt
Stark
Stokes
Sundquist
Wise

□ 1621

Mr. PACKARD and Mr. BEREUTER changed their vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

INDEPENDENT SAFETY BOARD ACT AMENDMENTS OF 1993

The SPEAKER pro tempore (Mr. ORTON). The pending business is the question of suspending the rules and passing the bill, H.R. 2440.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota [Mr. OBERSTAR] that the House suspend the rules and pass the bill, H.R. 2440, on which the yeas and nays are ordered.

The Chair reminds Members that this will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 353, nays 49, not voting 31, as follows:

[Roll No. 549]

YEAS—353

Abercrombie	Bonilla	Conyers
Ackerman	Bonior	Cooper
Andrews (ME)	Borski	Coppersmith
Andrews (NJ)	Boucher	Costello
Andrews (TX)	Brewster	Cox
Applegate	Brooks	Coyne
Bacchus (FL)	Browder	Cramer
Baesler	Brown (CA)	Crapo
Baker (CA)	Brown (FL)	Cunningham
Baker (LA)	Bryant	Danner
Barca	Bunning	Darden
Barclay	Buyer	de la Garza
Barlow	Byrne	Deal
Barrett (NE)	Calvert	DeLauro
Barrett (WI)	Canady	Dellums
Bateman	Cantwell	Derrick
Becerra	Cardin	Deutsch
Bellenson	Carr	Diaz-Balart
Bentley	Castle	Dickey
Bereuter	Chapman	Dingell
Berman	Clayton	Dixon
Bevill	Clement	Dooley
Bilbray	Clinger	Dunn
Bilirakis	Clyburn	Durbin
	Coleman	Edwards (CA)
	Collins (IL)	Edwards (TX)
	Collins (MI)	Emerson
	Combest	Engel

English (AZ) Lantos
 English (OK) LaRocco
 Eshoo Laughlin
 Evans Lazio
 Farr Leach
 Fawell Lehman
 Fazio Levin
 Fields (LA) Levy
 Fields (TX) Lewis (GA)
 Filner Lightfoot
 Fingerhut Linder
 Fish Lipinski
 Flake Livingston
 Foglietta Lloyd
 Ford (MI) Long
 Ford (TN) Lowey
 Fowler Machtley
 Franks (CT) Maloney
 Franks (NJ) Mann
 Frost Manton
 Furse Manzullo
 Callegly Margolies-
 Gallo Mezvinsky
 Gejdenson Markey
 Gekas Martinez
 Gephardt Matsui
 Geren Mazzoli
 Gilchrest McCandless
 Gillmor McCloskey
 Gilman McCollum
 Gingrich McCurdy
 Glickman McDade
 Gonzalez McDermott
 Goodlatte McHale
 Goodling McInnis
 Gordon McKeon
 Goss McKinney
 Grandy McMillan
 Green McNulty
 Greenwood Meehan
 Gunderson Menendez
 Gutierrez Meyers
 Hall (OH) Mfume
 Hamburg Mica
 Hamilton Michel
 Hansen Miller (CA)
 Hastert Miller (FL)
 Hastings Mineta
 Hayes Minge
 Hefley Mink
 Hefner Mollinari
 Hilliard Montgomery
 Hinchey Moorhead
 Hoagland Moran
 Hobson Morella
 Hochbrueckner Murphy
 Hoekstra Myers
 Holden Nadler
 Horn Natcher
 Houghton Neal (MA)
 Hoyer Neal (NC)
 Huffington Oberstar
 Hughes Obey
 Hutchinson Oliver
 Hutto Ortiz
 Hyde Orton
 Inhofe Owens
 Inslee Packard
 Istook Pallone
 Jacobs Parker
 Jefferson Pastor
 Johnson (CT) Payne (NJ)
 Johnson (GA) Payne (VA)
 Johnson, E.B. Pelosi
 Johnston Peterson (FL)
 Kanjorski Peterson (MN)
 Kaptur Pombo
 Kennedy Pomeroy
 Kennelly Porter
 Kildee Portman
 Kleczka Poshard
 Klein Price (NC)
 Klink Pryce (OH)
 Knollenberg Quillen
 Kolbe Quinn
 Kopetski Rahall
 Kreidler Rangel
 LaFalce Ravenel
 Lambert Reed
 Lancaster Regula

Reynolds
 Richardson
 Ridge
 Roemer
 Rogers
 Ros-Lehtinen
 Rose
 Rostenkowski
 Roth
 Roukema
 Rowland
 Roybal-Allard
 Rush
 Sabo
 Sanders
 Santorum
 Sarpallus
 Sawyer
 Saxton
 Schaefer
 Schenk
 Schiff
 Schroeder
 Schumer
 Scott
 Serrano
 Sharp
 Shaw
 Shays
 Shuster
 Siskis
 Skaggs
 Skeen
 Skelton
 Slaughter
 Smith (IA)
 Smith (MI)
 Smith (NJ)
 Snowe
 Spence
 Stark
 Stearns
 Strickland
 Studds
 Stupak
 Swett
 Swift
 Synar
 Talent
 Tanner
 Tauzin
 Taylor (NC)
 Tejeda
 Thomas (CA)
 Thomas (WY)
 Thompson
 Thornton
 Thurman
 Torkildsen
 Torres
 Torricelli
 Towns
 Traficant
 Tucker
 Unsoeld
 Upton
 Valentine
 Velazquez
 Vento
 Visclosky
 Volkmer
 Vucanovich
 Walsh
 Washington
 Waters
 Watt
 Waxman
 Weldon
 Wheat
 Whitten
 Williams
 Wilson
 Wolf
 Woolsey
 Wyden
 Wynn
 Yates
 Young (AK)
 Young (FL)
 Zimmer

Coble
 Collins (GA)
 Condit
 Crane
 DeLay
 Doolittle
 Dornan
 Dreier
 Duncan
 Everett
 Grams
 Hall (TX)
 Hancock
 Herger

Hoke
 Hunter
 Inglis
 Johnson, Sam
 Kasich
 Kim
 King
 Kingston
 Klug
 Kyl
 McCrery
 McHugh
 Nussle
 Paxon

Penny
 Ramstad
 Roberts
 Rohrabacher
 Royce
 Sensenbrenner
 Solomon
 Stenholm
 Stump
 Taylor (MS)
 Walker
 Zeliff

NOT VOTING—31

Barton Johnson (SD)
 Blute Lewis (CA)
 Brown (OH) Lewis (FL)
 Camp Meek
 Clay Moakley
 DeFazio Mollohan
 Dicks Murtha
 Ewing Oxley
 Frank (MA) Petri
 Gibbons Pickett
 Harman Pickle

□ 1632

Messrs. KIM, MCHUGH, KING, TAYLOR of Mississippi, and HALL of Texas changed their vote from "yea" to "nay."

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. LEWIS of Florida. Mr. Speaker, due to a death in my family, I was unable to vote on House Resolution 293 or H.R. 2440. Had I been here, I would have voted "aye" on both measures.

PERSONAL EXPLANATION

Mr. PICKLE. Mr. Speaker, I was unavoidably detained and therefore unable to vote on House Resolution 293 and H.R. 2440. Had I been present, I would have voted "yea" on the Hamilton amendment and I would have opposed the Gilman amendment.

PERSONAL EXPLANATION

Mr. BLUTE. Mr. Speaker, I was unavoidably detained in Massachusetts, and was unable to cast two rollcall votes.

I would like the record to show that had I been present I would have voted as follows:

Rollcall 548—"yea."

Rollcall 549—"yea."

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 3167, UNEMPLOYMENT COMPENSATION AMENDMENTS OF 1993

Mr. WHEAT, from the Committee on Rules, submitted a privileged report (Rept. No. 103-334) on the resolution (H. Res. 298) waiving points of order against the conference report on the

bill (H.R. 3167) to extend the Emergency Unemployment Compensation Program, to establish a system of worker profiling, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1036, AMENDING THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974

Mr. WHEAT, from the Committee on Rules, submitted a privileged report (Rept. No. 103-335) on the resolution (H. Res. 299) providing for consideration of the bill (H.R. 1036) to amend the Employee Retirement Income Security Act of 1974 to provide that such act does not preempt certain State laws, which are referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER Pro Tempore. Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall vote, if postponed, will be taken on Tuesday, November 9, 1993.

TELECOMMUNICATIONS INFRASTRUCTURE AND FACILITIES ASSISTANCE ACT OF 1993

Mr. MARKEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2639) to authorize appropriations for the promotion and development of the U.S. national telecommunications and information infrastructure, the construction and planning of public broadcasting facilities, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2639

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Telecommunications Infrastructure and Facilities Assistance Act of 1993".

SEC. 2. FINDINGS.

The Congress finds and declares the following:

(1) A strong commitment to building the national telecommunications and information infrastructure will promote economic growth, aid America's competitiveness, and increase the Nation's standard of living.

(2) An advanced telecommunications and information infrastructure initiative serves the national interest.

(3) Private sector investments in the United States telecommunications and information infrastructure can benefit from a Federal investment in demonstration projects in which advanced telecommunications capabilities are used

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to aid the delivery of critical social services such as education and health care traditionally supported by government.

(4) Government funding of demonstrations and pilot projects of telecommunications and information infrastructure applications for health care providers, educational institutions, research facilities, State and local governments, libraries, and other social service and public information providers can serve as a catalyst in promoting increased private sector investment in, and continued development of, the national telecommunications and information infrastructure.

(5) Federal assistance in the promotion of the national telecommunications and information infrastructure will use a wide range of technologies including, but not limited to, broadcast, fiber optic cable, coaxial cable, satellite systems, and microwave systems.

(6) Providing assistance to help eligible entities connect to and fully utilize existing and developing telecommunications networks and information services is in the public interest.

(7) There are tremendous information resources in the Nation, but the benefits of an advanced telecommunications and information infrastructure will be enhanced when United States citizens have reasonable access to such existing and future information resources.

(8) Federal support of public broadcasting has helped provide valuable and useful educational and cultural programs that reach nearly all citizens of the United States.

(9) The Federal Government shall ensure that all citizens of the United States have access to public telecommunications services through all appropriate available telecommunications distribution technologies.

(10) Public telecommunications entities and services constitute valuable local community resources for utilizing electronic media to address national concerns and solve local problems through community programs.

(11) The Federal Government should encourage partnerships to adapt technologies to public service uses in a cost-effective manner, utilizing and maintaining existing facilities where appropriate and effective, and to avoid duplicate services or capacities which are currently provided by public telecommunications entities.

SEC. 3. NATIONAL TELECOMMUNICATIONS AND INFORMATION INFRASTRUCTURE DEVELOPMENT.

(a) AMENDMENTS TO THE NTIAO ACT.—The National Telecommunications and Information Administration Organization Act is amended—

- (1) by redesignating part C as part F; and
- (2) by inserting after part B the following new parts:

"PART C—PLANNING AND CONSTRUCTION OF PUBLIC BROADCASTING FACILITIES"

"SEC. 121. PURPOSE.

"The purpose of this part is to assist, through matching grants, in the planning and construction of public broadcasting facilities in order to achieve the following objectives:

"(1) extend delivery of public broadcasting services to as many citizens of the United States as possible by the most efficient and economical means, including broadcast, fiber optic cable, coaxial cable, satellite systems, and microwave systems;

"(2) increase public broadcasting services and facilities available to, operated by, and owned by minorities and women; and

"(3) strengthen the capability of existing public broadcasting entities to provide public broadcasting services to the public.

"SEC. 122. GRANTS FOR CONSTRUCTION.

"(a) APPLICATIONS FOR GRANTS.—Any eligible applicant (as described in paragraph (1)) desiring to obtain a grant under this part for the construction of public broadcasting facilities

shall submit to the Secretary an application containing such information with respect to the proposed construction project as the Secretary may require, including the total cost of such project and the amount of the grant requested for such project. Each applicant shall also provide assurances satisfactory to the Secretary that—

"(1) the applicant is—

"(A) a public broadcast station;

"(B) a system of public broadcasting entities;

"(C) a nonprofit foundation, corporation, institution, or association organized primarily for educational or cultural purposes; or

"(D) a State or local government (or any agency thereof), or a political or special purpose subdivision of a State;

"(2) the operation of such public broadcasting facilities will be under the control of the applicant;

"(3) necessary funds to construct, operate, and maintain such public broadcasting facilities will be available when needed;

"(4) such public broadcasting facilities will be used primarily for the provision of public broadcasting services, and the use of such public broadcasting facilities for purposes other than the provision of public broadcasting services will not interfere with the provision of such public broadcasting services as required in this part;

"(5) the applicant has participated in comprehensive planning for such public broadcasting facilities in the area which the applicant proposes to serve, and such planning has included an evaluation of alternate technologies and coordination with State educational television and radio agencies, as appropriate; and

"(6) the applicant will use the grant efficiently and effectively.

"(b) AMOUNT OF GRANT.—Upon approving any application under this section with respect to any project for the construction of public broadcasting facilities, the Secretary shall make a grant to the applicant in an amount determined by the Secretary, except that such amount shall not exceed 75 percent of the amount determined by the Secretary to be the reasonable and necessary cost of such project. The Secretary may provide such funds as the Secretary deems necessary for the planning of any project for which construction funds may be obtained under this section.

"(c) PLANNING GRANTS.—

"(1) INFORMATION AND ASSURANCES.—An applicant for a planning grant shall provide such information with respect to such project as the Secretary may require and shall provide assurances satisfactory to the Secretary that the applicant meets the eligibility requirements of subsection (a) to receive construction assistance.

"(2) STUDIES.—Any studies conducted by or for any grant recipient under this subsection shall be provided to the Secretary, if such studies are conducted through the use of funds received under this section.

"(d) REGULATIONS; PRIORITIES.—The Secretary shall establish such regulations as may be necessary to carry out this part, including regulations relating to the order of priority in approving applications for construction or planning projects and relating to determining the amount of each grant.

"(e) SPECIAL CONSIDERATION.—In establishing criteria for grants pursuant to this section, and in establishing procedures relating to the order of priority established under subsection (d) in approving applications for grants, the Secretary shall give special consideration to applications which would increase participation by minorities, women, and populations traditionally underserved in the ownership and operation of public broadcasting entities. The Secretary shall take affirmative steps to inform minorities, women, and underserved populations of the

availability of funds under this part, and the localities where new public broadcasting facilities are needed, and to provide such other assistance and information as may be appropriate.

"SEC. 123. CRITERIA FOR APPROVAL AND EXPENDITURES BY NTIA.

"(a) CONSTRUCTION AND PLANNING GRANTS.—The Secretary, in consultation with the Corporation for Public Broadcasting, public broadcasting entities, and, as appropriate, with others, shall establish criteria for making construction and planning grants. Such criteria shall be consistent with the objectives and provisions set forth in this part, and shall be made available to interested parties upon request.

"(b) BASIS FOR DETERMINATION.—The Secretary shall base determinations of whether to approve applications for grants under this part, and the amount of such grants, on criteria developed pursuant to subsection (a) that are designed to achieve—

"(1) the establishment of new public broadcasting facilities to extend service to areas currently not receiving public broadcasting services;

"(2) the expansion of the service areas or production capabilities of existing public broadcasting entities;

"(3) the development of public broadcasting facilities owned by, operated by, and available to minorities and women; and

"(4) the improvement of the capabilities of existing public broadcasting entities to provide public broadcasting services, including services to underserved audiences such as deaf and hearing impaired individuals and blind and visually impaired individuals.

"(c) NONCOMMERCIAL RADIO BROADCAST STATION FACILITIES.—Of the sums appropriated pursuant to section 125 for any fiscal year, a substantial amount shall be available for the expansion and development of noncommercial radio broadcast station facilities.

"SEC. 124. ADMINISTRATIVE PROVISIONS.

"(a) RECOVERY OF FUNDS.—If, within 5 years after completion of any project for construction of facilities, with respect to which a grant has been made under this section—

"(1) the applicant or other owner of such facilities ceases to be an entity as described in section 122(a)(1); or

"(2) such facilities cease to be used primarily for the provision of public broadcasting services (or the use of such public broadcasting facilities for purposes other than the provision of public broadcasting services interferes with the provision of such public broadcasting services as required in this part);

the United States shall be entitled to recover from the applicant or other owner of such facilities the amount bearing the same ratio to the value of such facilities at the time the applicant ceases to be such an entity or at the time of such determination (as determined by agreement of the parties or by action brought in the United States district court for the district in which such facilities are situated), as the amount of the Federal participation bore to the cost of construction of such facilities. The Secretary may increase the period for recovery under the preceding sentence from 5 to 10 years if the Secretary determines that the longer period is necessary in order to accomplish the purposes of this part.

"(b) RECORDKEEPING REQUIREMENTS.—Each recipient of assistance under this part shall keep such records as may be reasonably necessary to enable the Secretary to carry out the functions of the Secretary under this part, including—

"(1) a complete and itemized inventory of all public broadcasting facilities under the control of such recipient;

"(2) records which fully disclose the amount and the disposition by such recipient of the proceeds of such assistance, the total cost of the

project in connection with which such assistance is given or used, the amount and nature of that portion of the cost of the project supplied by other sources; and

"(3) such other records as will facilitate an effective audit.

"(c) **ACCESSIBILITY OF RECORDS.**—The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of any recipient of assistance under this part that relate to assistance received under this part.

"SEC. 125. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated \$35,000,000 for each of the fiscal years 1995 and 1996, to be used by the Secretary to assist in the planning and construction of public broadcasting facilities as provided in this part. Sums appropriated under this part for any fiscal year are authorized to remain available until expended. Sums appropriated under this part may be used by the Secretary to cover the cost of administering the provisions of this part.

"PART D—TELECOMMUNICATIONS AND INFORMATION INFRASTRUCTURE PROGRAM

"SEC. 131. PURPOSE.

"It is the purpose of this part to facilitate the development of the national telecommunications and information infrastructure by authorizing the Secretary to establish and maintain, by the most efficient and economical means, a Telecommunications and Information Infrastructure Development Program that will promote the widespread availability of advanced telecommunications technologies to—

"(1) enhance the delivery to the public of diverse social services, including education and health care; and

"(2) support, through the interconnection and improvement of existing facilities and the deployment of new facilities, the formation of a nationwide, multimedia, high-speed, interactive infrastructure of varied information technologies.

"SEC. 132. GRANT AUTHORITY.

"(a) **GRANT PURPOSES AND CRITERIA.**—In accordance with the requirements of this part, the Secretary is authorized to award grants to eligible applicants (as described in subsection (b)(1)) to assist the development of a national telecommunications and information infrastructure. The Secretary shall not award a grant under this part unless the Secretary determines that the project will promote one or more of the following objectives:

"(1) expand or otherwise augment telecommunications networks or information technology systems for health care providers, educational institutions, research facilities, libraries, museums, State and local governments, and other social service and public information providers;

"(2) enhance the ability, through interconnection, of health care providers, educational institutions, research facilities, libraries, museums, State and local governments, and other social service and public information providers to have access to existing and new sources of information;

"(3) the development and utilization of standards for interoperability and interconnection of the various facilities, systems, and networks which would comprise a demonstration or pilot project;

"(4) universal availability and utilization of an advanced telecommunications and information infrastructure, especially for traditionally underserved populations; and

"(5) demonstrate and improve the efficiency and effectiveness of the delivery of social serv-

ices, such as education and health care, to the American people.

"(b) **APPLICATIONS FOR GRANTS.**—Any eligible applicant desiring to obtain a grant under this part shall submit to the Secretary an application containing such information with respect to such project as the Secretary may require. Each applicant shall also provide assurances satisfactory to the Secretary that—

"(1) the applicant is—

"(A) a nonprofit foundation, corporation, institution, or association;

"(B) a State or local government (or any agency thereof), or a political or special purpose subdivision of a State or local government; or

"(C) any enterprise owned and operated by a State or local government entity;

"(2) the applicant has the technical, administrative, and financial capability to obtain, operate, and maintain the facilities, systems, or networks that are the subject of the application;

"(3) the applicant has chosen an efficient and economical means to achieve its communications or information needs, and has not failed to utilize commercially available network services to meet such needs to the extent such commercial services meet the needs of the applicant in the most efficient and economical manner;

"(4) the applicant has participated in comprehensive planning for such facilities, systems, or networks and such planning has included an evaluation of alternative technologies and coordination with appropriate State agencies, as needed;

"(5) the amount of the grant will not exceed 50 percent of the amount determined by the Secretary to be the reasonable and necessary cost of such project, unless the Secretary determines that extraordinary circumstances warrant permitting a grant in an amount that will not exceed 75 percent of such cost; and

"(6) the applicant will use any facility, system, or network obtained with funds provided under this section primarily to achieve the objectives identified in the application and will comply with regulations prescribed by the Secretary with respect to resale of any capacity of such facility, system, or network.

"(c) **REGULATIONS; PRIORITIES.**—The Secretary shall establish such regulations as may be necessary to carry out this part, including regulations relating to the order of priority to be used in approving applications and relating to determining the amount of each grant for such projects. As part of such regulations, the Secretary shall provide a preference in the award of assistance for projects that increase utilization and efficiency of existing telecommunications and information facilities. The Secretary shall seek the views of the Secretary of Education, the Secretary of Health and Human Services, and the Director of the National Science Foundation in developing the regulations authorized under this part. Such regulations shall include such regulations for purposes of subsection (b)(6) as the Secretary determines to be necessary to prevent an applicant from using commercial resale of excess capacity to compete unfairly with providers of telecommunications services.

"(d) **SPECIAL CONSIDERATION.**—In establishing criteria for grants pursuant to this part, and in establishing procedures relating to the order of priority established under subsection (c) in approving applications for grants, the Secretary shall give special consideration to applications that (1) will increase participation by minorities, individuals with disabilities, women, and other underserved populations in the ownership of, operation of, and access to, telecommunications and information infrastructure; and (2) will avoid unnecessary duplication of existing facilities and services. The Secretary shall take affirmative steps to inform minorities, individuals

with disabilities, women, and other underserved populations of the availability of funds under this part, and to provide such other assistance and information as may be appropriate.

"SEC. 133. TRAINING AND PLANNING.

"(a) **TRAINING EXPENSES.**—The Secretary is authorized to provide funds for necessary and reasonable expenses for training in the operation of the facilities, systems, or networks developed pursuant to this part, except that such expenditures shall be authorized only for a period not to exceed one year after termination of the grant for the telecommunications or information facility, system, or network funded under this part.

"(b) **PLANNING AND STUDIES.**—The Secretary is authorized to provide up to 100 percent of the cost of planning projects or studies that will promote the development or enhancement of the national telecommunications and information infrastructure. Any plans or studies conducted by or for any grant recipient under this section shall be provided to the Secretary. An applicant for a planning grant shall provide such information with respect to such project as the Secretary may require and shall provide assurances satisfactory to the Secretary that the applicant meets the requirements of section 132(b)(1).

"SEC. 134. ADMINISTRATIVE PROVISIONS.

"(a) **RECOVERY OF FUNDS.**—If, within five years after completion of any project with respect to which a grant has been made under this part—

"(1) the applicant or other owner of the facility, system, or network ceases to be an agency, institution, foundation, corporation, association, or other entity described in section 132(b)(1); or

"(2) such facility, system, or network ceases to be used primarily for the intended purposes of the grant project;

the United States shall be entitled to recover from the applicant or other owner of such facility, system, or network an amount bearing the same ratio to the value of such facility, system, or network at the time the applicant ceases to be such an entity or at the time of such determination (as determined by agreement of the parties or by action brought in the United States district court for the district in which such facility, system, or network is situated), as the amount of the Federal grants bore to the cost of construction of such facility, system, or network.

"(b) **RECORDKEEPING REQUIREMENTS.**—Each recipient of assistance under this part shall keep such records as may be reasonably necessary to enable the Secretary to carry out the functions of the Secretary under this part, including—

"(1) a complete and itemized inventory of all telecommunications and information facilities, systems, or networks under the control of such recipient procured with funds authorized under this part;

"(2) records which fully disclose the amount and the disposition by such recipient of the proceeds of such assistance, the total cost of the project in connection with which such assistance is given or used, the amount and nature of that portion of the cost of the project supplied by other sources; and

"(3) such other records as will facilitate an effective audit.

"(c) **ACCESSIBILITY OF RECORDS.**—The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of any recipient of assistance under this part that relate to assistance received under this part.

"(d) **DUTY TO MONITOR.**—The Secretary shall monitor and evaluate projects in order to determine that such projects fulfill the objectives of this part. The Secretary shall evaluate the activities of the assistance program under this part

to assure that it is fulfilling its goals and objectives. The Secretary shall develop criteria for evaluations pursuant to section 132(c). Not later than January 1, 1998, the Secretary shall submit to the Congress a summary of the results of the monitoring and evaluation conducted under this subsection.

"(e) CLEARINGHOUSES.—"

(1) **CLEARINGHOUSE ON DISTANCE LEARNING.**—In carrying out the requirements of subsection (d), and in collecting studies pursuant to section 133(b), the Secretary shall provide for the collection and dissemination of information concerning distance learning. The Secretary shall maintain information on distance learning providers; receive, review, and analyze reports of different distance learning activities; and publish periodically a compilation of the reports submitted and such analysis.

(2) **CLEARINGHOUSE ON TELEMEDICINE.**—In carrying out the requirements of subsection (d), and in collecting studies pursuant to section 133(b), the Secretary shall provide for the collection and dissemination of information concerning telemedicine projects. The Secretary shall maintain information on telemedicine projects, receive, review, and analyze reports of different telemedicine activities, and publish periodically a compilation of the reports submitted and such analysis.

"SEC. 135. AUTHORIZATION OF APPROPRIATIONS."

"There are authorized to be appropriated to carry out this part \$100,000,000 for fiscal year 1995 and \$150,000,000 for fiscal year 1996. Sums appropriated under this section for any fiscal year are authorized to remain available until expended. Sums appropriated under this section may be used by the Secretary to cover the direct and indirect costs of administering the provisions of this part, for evaluating the effectiveness of the program and projects funded pursuant to this part, and for other related activities. Up to 5 percent of the funds appropriated pursuant to this section may be used by the Secretary for research to support the grant making activities under this part."

(b) **TRANSFER AND REAUTHORIZATION OF NATIONAL ENDOWMENT FOR CHILDREN'S TELEVISION.**—The Communications Act of 1934 (hereinafter in this subsection referred to as "the 1934 Act") and the National Telecommunications and Information Administration Organization Act (hereinafter in this subsection referred to as "the NTIA Act") are amended as follows:

(1) The NTIA Act is amended by inserting after part D (as added by subsection (a) of this section) a new part E, the heading of which shall be as follows:

"PART E—NATIONAL ENDOWMENT FOR CHILDREN'S TELEVISION."

(2) Section 394 of the 1934 Act is transferred to such new part E of the NTIA Act and is redesignated as section 141 of the NTIA Act.

(3) Such section 141 is amended so that the section designation and section heading of such section shall be in the form and typeface of the section designation and section heading of this section.

(4) Subsection (h) of such section 141 is amended to read as follows:

"(h) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated \$6,000,000 for each of the fiscal years 1995 and 1996, to be used by the Secretary to carry out the provisions of this section. Sums appropriated under this subsection for any fiscal year shall remain available for contracts and grants for projects for which applications approved under this section have been submitted within one year after the last day of such fiscal year."

(c) CONFORMING AMENDMENTS.—

(1) **NTIA ACT DEFINITIONS.**—Section 102(a) of the National Telecommunications and Informa-

tion Administration Organization Act is amended by adding at the end the following new paragraphs:

"(6) The term 'construction' means acquisition (including acquisition by lease), installation and modernization of public broadcasting facilities, and planning and preparatory steps incidental to any such acquisition, installation, or modernization.

"(7) The term 'interconnection' means the use of an association of transmission channels or telecommunication circuits, switching units, or other equipment to provide the means of a transfer of signals between two or more points in a telecommunications network or networks or the use of an interconnection system.

"(8) The term 'interconnection system' means any system of facilities used for the distribution of programs to public telecommunications entities (as such term is defined in section 397 of the Communications Act of 1934 (47 U.S.C. 397)).

"(9) The term 'public broadcasting facilities' means telecommunications and related equipment necessary for the provision of public broadcasting services, except that such term does not include the buildings to house such apparatus (other than small equipment shelters that are part of satellite Earth stations, translators, microwave interconnection facilities, and similar facilities).

"(10) The term 'public broadcasting services' means the production, acquisition, distribution, or dissemination of noncommercial, educational, or cultural programs and related noncommercial and instructional and informational material disseminated by entities licensed by the Federal Communications Commission as noncommercial educational broadcast stations.

"(11) The term 'nonprofit' (as applied to any foundation, corporation, or association) means a foundation, corporation, or association, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

"(12) The term 'public broadcasting entity' means the Corporation, any licensee or permittee of a public broadcast station, or any nonprofit institution engaged primarily in the production, acquisition, distribution, or dissemination of educational and cultural television or radio programs.

"(13) The term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, and the Trust Territory of the Pacific Islands."

(2) **DELEGATION.**—Section 103(b)(3)(B) of the National Telecommunications and Information Administration Organization Act is amended to read as follows:

"(B) shall assign to the Assistant Secretary and the NTIA the administration of parts C through E of this title."

(3) **COMMUNICATIONS ACT AMENDMENTS.**—Part IV of title III of the Communications Act of 1934 (47 U.S.C. 390 et seq.) is amended—

(A) by striking subparts A, B, and C (47 U.S.C. 390–395);

(B) by redesignating subparts D and E as subparts A and B; and

(C) in section 397—

(i) by amending paragraph (1) to read as follows:

"(1) The term 'construction' means acquisition (including acquisition by lease), installation and modernization of public broadcasting facilities, and planning and preparatory steps incidental to any such acquisition, installation, or modernization."

(ii) in paragraph (2), by striking "subpart D" and inserting "subpart A";

(iii) by striking paragraph (10);

(iv) by amending paragraph (15) to read as follows:

"(15) The term 'Secretary' means the Secretary of Health and Human Services."; and

(v) by redesignating paragraphs (11) through (17) as paragraphs (10) through (16), respectively.

SEC. 4. REAUTHORIZATION OF THE NTIA.

(a) **AMENDMENT.**—Section 151 of the National Telecommunications and Information Administration Organization Act is amended by striking "\$17,600,000 for fiscal year 1992 and \$17,900,000 for fiscal year 1993" and inserting "\$28,000,000 for each of the fiscal years 1995 and 1996".

(b) **TECHNICAL AMENDMENT.**—Section 105(c)(2) of such Act is amended by adding at the end the following: "The Secretary is authorized to retain and use all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunications Sciences of the NTIA in furtherance of its assigned functions under this section. Such funds received from other Government agencies shall remain available until expended."

SEC. 5. STUDY REQUIRED.

Part F of the National Telecommunications and Information Administration Organization Act (as redesignated by section 3(a)(1) of this Act) is amended by adding at the end the following new section:

"SEC. 156. STUDY AND REPORT ON SATELLITE-BASED EDUCATIONAL NETWORK FOR AFRICAN CHILDREN."

"(a) **STUDY REQUIRED.**—Within 6 months following enactment of this section, the National Telecommunications and Information Administration shall conduct a feasibility study to identify the opportunities, facilities, programming and other resources necessary to establish networks using modern telecommunications technologies for the purpose of providing educational and other training essential to ensure growth and opportunities in Africa. The study shall pay particular attention to the educational needs of children residing in rural and remote areas, and to the opportunities to address those needs. In conducting such study, the National Telecommunications and Information Administration shall identify resources and programs of governmental, nongovernmental, and multinational agencies that may be deployed promptly and economically. The study shall identify any legal, procedural, or technical impediments to the establishment of such a network or networks and the appropriate steps to remove such impediments.

"(b) **REPORT REQUIRED.**—The National Telecommunications and Information Administration shall submit to the President and the Congress a report on the results of the study required by subsection (a). The National Telecommunications and Information Administration shall include in such report any legislative or administrative actions required to promote the establishment of such a network.

"(c) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated \$285,000 to carry out this section."

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from Massachusetts [Mr. MARKEY] will be recognized for 20 minutes, and the gentleman from Texas [Mr. FIELDS] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Massachusetts [Mr. MARKEY].

Mr. MARKEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2639, the Telecommunications Infrastructure and Facilities Assistance Act of 1993.

This bill, which passed unanimously both the Subcommittee on Telecommunications and Finance and the full Committee on Energy and Commerce, is a signal that the Government will assist in bringing the information age to all Americans. This bill is about demonstrating that the benefits of the technological revolution are more than just access to 10,000 movie titles at its best, the revolution is about information; it's about doctors diagnosing patients across the State through telemedicine applications. It's about students conversing with other students across the country through distance learning programs. In essence, this bill promotes the promise of an information age for all Americans, rich and poor, in cities and in rural areas.

Allow me to explain briefly how H.R. 2639 will demonstrate this promise. H.R. 2639 amends the National Telecommunications and Information Administration Organization Act by creating a Public Broadcasting Facilities Program to accelerate the development of a nationwide communications and information infrastructure that is accessible to all Americans.

Specifically, this bill improves the Public Telecommunications Facilities Program by creating a Public Broadcasting Facilities Program in recognition of the importance of broadcasting in the dissemination of information. This program will extend the delivery of public broadcasting services to as many citizens of the United States as possible, using all sorts of technological mediums from microwave to fiber optics to satellites to broadcast. In addition, this grant-making program will give special consideration to public broadcasting services and facilities available to, operated by, and owned by minorities, women and underserved populations. It also will enhance the capability of existing public broadcasting entities by continuing the ability of NTIA to finance upgrading and improvement of existing facilities. This bill authorizes \$35 million for fiscal year 1995 and 1996 to carry out this program.

Second, this bill authorizes NTIA to establish the Telecommunications and Information Infrastructure Program, a pilot project program that will promote the widespread availability of advanced telecommunications to health care providers, educational institutions, and State and local governments. This section is designed to enhance the delivery of diverse social services to the public through interconnection, and through the formation of a nationwide, high-speed, multimedia, interactive infrastructure.

Third, this bill transfers the National Endowment for Children's Educational Television, a grant program created under the Children's Television Act of 1990, to the NTIAO Act, where it can continue to be administered by the

NTIA. This bill authorizes \$6 million each for fiscal years 1995 and 1996 for the Endowment.

This bill also creates clearinghouses for telemedicine and distance learning at NTIA to collect and analyze information on which programs are most efficient. These clearinghouses will enable government grant administrators as well as hospital and school administrators all across the country to share ideas and suggestions on the different ways the health care and educational communities can benefit from the information infrastructure.

□ 1640

There I would like to particularly note the work of the gentleman from Oklahoma [Mr. SYNAR] and the gentleman from Washington [Mr. KREIDLER], who have helped to give some shape and direction to this new path that we are taking in the delivery of information services.

This bill also directs the NTIA to conduct a six month study to identify and make recommendations concerning the use of satellite technology to bring educational programming to Africa. This provision, which I wholeheartedly support was offered by our colleague JACK FIELDS in memory of the late Mickey Leland, who dedicated his life to bettering the lives of people all around the world.

Finally, this bill authorizes \$28 million for the administration and salaries of NTIA each for fiscal year 1995 and 1996.

I urge all members to join me in supporting this critical component of an information infrastructure program.

The gentleman from Michigan [Mr. DINGELL], chairman of our full committee, and I, and all of the other members on the Democratic side give our wholehearted support to this legislation. We have worked it out in a bipartisan fashion, as usual, in the tradition of the Telecommunications and Finance Subcommittee. I want to compliment the gentleman from Texas [Mr. FIELDS] and the ranking member, the gentleman from California [Mr. MOORHEAD], for their work.

Mr. Speaker, I reserve the balance of my time.

Mr. FIELDS of Texas. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I rise to urge my colleagues to join me in supporting H.R. 2639, the Telecommunications Infrastructure and Facilities Assistance Act of 1993.

This bipartisan legislation reauthorizes the National Telecommunications and Information Administration [NTIA] for fiscal years 1995 and 1996.

NTIA is the telecommunications policy advisory agency in the executive branch. As such, NTIA formulates policy to support the development and growth of the telecommunications, in-

formation and related agencies. Among its duties, NTIA coordinates and monitors policy initiatives in international telecommunications, information services, spectrum management, and other important areas.

NTIA played an integral role in developing the comprehensive spectrum management package passed by Congress earlier this year. The communications licensing and spectrum allocation improvement act was a bipartisan initiative which was incorporated in the Omnibus Budget Reconciliation Act and which required the Department of Commerce to identify 200 megahertz of Government spectrum to be reallocated for use by the private sector. As a result of this initiative, spectrum resources will be available to accommodate emerging technologies for use by the American people.

H.R. 2639 also establishes a infrastructure development program to be administered by NTIA. This program will award grants to nonprofit organizations and State and local governments to assist in the development of a national advanced communications infrastructure for their services.

Mr. Speaker, I would note that this program should serve only to complement private sector development of the communications infrastructure. As recent market event have dramatically demonstrated, the private sector is willing, ready and able to make the investment necessary to bring an advanced communications highway into reality. The Government's primary role should be to create as competitive environment as possible for this investment to take place.

This legislation also replaces the Public Telecommunications Facilities Program with a new grant program aimed at upgrading the facilities of public broadcasting services and reauthorizes the National Endowment for Children's Educational Television Program.

Finally, this legislation requires the NTIA to conduct a study of the feasibility of establishing a satellite-based educational network to provide educational programming to African children. Mr. Speaker, this program has special significance because it will be offered in memory of one of our friends and colleagues, Mickey Leland, who worked tirelessly on behalf of the children of Africa.

Mr. Speaker, I want to thank the committee chairman, Mr. DINGELL, the subcommittee chairman, Mr. MARKEY, and their staffs for their work on this legislation. I urge my colleagues to support H.R. 2639.

Mr. Speaker, I reserve the balance of my time.

Mr. MARKEY. Mr. Speaker, I yield 2 minutes to the gentleman from Washington [Mr. KREIDLER].

Mr. KREIDLER. Mr. Speaker, I thank the gentleman for allowing me

time to speak on this outstanding bill. I first must congratulate Mr. MARKEY, Mr. FIELDS, and all the members of the subcommittee for bringing this bill to the floor, and I urge my colleagues to support it.

H.R. 2639, the Telecommunications Infrastructure and Facilities Assistance Act, reflects a serious commitment to the development of useful telecommunications technologies. The bill will help schools, doctors, public broadcasters and others to bring new services and information to American citizens.

I am particularly interested in increasing access to education through distance learning programs, and am pleased to see that the act strongly supports the development of these programs.

To provide additional support to these programs, the full committee adopted my amendment to establish an information clearinghouse on distance learning at the NTIA. The clearinghouse would assist distance learning providers with technical information about what works and what doesn't, and to help the NTIA make judgments about feasible and cost-effective technologies.

Mr. Speaker, it is time to bring the information age to the classroom. This bill will help us do just that, and I again urge my colleagues to support it.

□ 1650

Mr. FIELDS of Texas. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. MOORHEAD], the ranking Republican on the full Committee on Energy and Commerce.

Mr. MOORHEAD. I thank the gentleman for yielding this time to me.

Mr. Speaker, I urge my colleagues to support H.R. 2639, which authorizes the National Telecommunications and Information Administration [NTIA] for fiscal years 1995 and 1996.

I congratulate the chairman of our subcommittee, the gentleman from Massachusetts [Mr. MARKEY], and the ranking Republican on the subcommittee, the gentleman from Texas [Mr. FIELDS], for their work in bringing this legislation to the floor of the House.

Mr. Speaker, last year, Congress codified NTIA's authority as the primary advisory agency in the executive branch on telecommunications policy. As such, NTIA is responsible for developing policy initiatives for domestic and international telecommunications; for managing the use of radio spectrum by the Government; and for performing research in the telecommunications sciences.

In addition to reauthorizing NTIA, this legislation establishes a infrastructure grant program to assist in the development of a national telecommunications and information infrastructure. While this program can-

not substitute for the development of a national communications highway by the private sector, it is hoped that it will assist educational institutions and health care providers gain access to this highway.

This legislation also replaces the public telecommunications facilities program with a new grant program to maintain and upgrade the facilities of public broadcasting services.

This legislation also reauthorizes the National Endowment for Children's Educational Television Program which supports television programming projects which will enhance the education of our Nation's children. In addition, this legislation directs the NTIA to conduct a 6-month study to identify resources which could be used to develop a satellite-based educational network to provide programming to the children of Africa. This program would be offered in memory of the late Congressman Mickey Leland.

Mr. Speaker, I urge my colleagues to support H.R. 2639.

Mr. MARKEY. Mr. Speaker, I yield such time as he may consume to the gentleman from Oklahoma [Mr. ENGLISH].

Mr. ENGLISH of Oklahoma. I thank the gentleman for yielding this time to me.

Mr. Speaker, I thank the gentleman for bringing this legislation to the floor today—legislation which truly takes a giant step forward in addressing the need for an advanced telecommunications infrastructure throughout America.

As the gentleman knows, I am very concerned about the lack of a modern telecommunications system in the rural areas of this country. Studies have shown that if rural communities are going to have a chance to survive economically, they must have a modern telecommunications system in place. In other words, we need a universal modernization effort to take place over the next few years if we are going to have any impact at all on our small rural towns.

Quality health care is no exception to the burdens facing our rural communities. Over the past few years, we have seen the growing benefits afforded by telemedicine. I am pleased to see that this bill establishes a clearinghouse for both telemedicine and distance learning in an effort to trace the growing number of unique and innovative programs being implemented in our country today. I also appreciate the report language which accompanies this bill that spells out the need for the NTIA to pay special attention to rural areas when selecting recipients of these grants.

Just for the record today, I would like to confirm my colleague's desire to have the NTIA seek to fund projects involving the application of telemedicine technology in rural areas.

Mr. MARKEY. Mr. Speaker, will the gentleman yield?

Mr. ENGLISH of Oklahoma. I yield to the gentleman from Massachusetts.

Mr. MARKEY. I thank the gentleman for yielding.

Mr. Speaker, I would like to commend the gentleman for his commitment to this issue, and I agree that rural telemedicine projects, which the gentleman from Oklahoma is in the forefront of, advocating as an indispensable part of laying the foundation for this information highway as it reaches out to rural America and guarantees that they have access to the communications networks to provide medicine in the most rural parts of the country, should be covered.

Of course, they would have to pass the intense review of the NTIA, but these are the kinds of projects that the NTIA is authorized to fund under this bill, and I am sure will, in fact, receive the highest consideration.

Mr. ENGLISH of Oklahoma. I thank the gentleman for his comments.

Mr. FIELDS of Texas. Mr. Speaker, I have no further requests for time. Let me just say in closing I urge all of my colleagues to support this piece of legislation. Not only is it a good piece of legislation, it is the right legislation. What it in essence is doing is helping to prime the pump for the telecommunications revolution about which the chairman talked earlier.

I personally believe that we are going to see more telecommunications innovation and development in the next 7 years between now and the year 2000 than we as a country have seen this entire century.

So we feel that this is an important piece of legislation, priming the pump, so to speak.

Also, on our side of the aisle we feel very comfortable knowing much of this effort, if not all, will be directed by the Assistant Secretary of Commerce, and the Administrator for NTIA, the Honorable Larry Irving, who is a friend on both sides of the aisle and a person who we think is competent in helping lead us in that direction toward a true revolution.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MARKEY. Mr. Speaker, I yield myself such time as I may consume for just about 30 seconds in order to say to the gentleman from Texas that including this Mickey Leland project in this legislation assures that there will be a memorial in this telecommunications area that will live on.

It also assures that Larry Irving, as the gentleman from Texas pointed out, who used to be Mickey's legislative staff director, who later served as chief telecommunications counsel for our subcommittee and is now the head of the NTIA, will be there to ensure that the intent of the gentleman from Texas

and the intent of the full Committee on Energy and Commerce, each one of us, from Chairman DINGELL to CARLOS MOORHEAD and all Democrats and Republicans want to see this memorial to Mickey built. This legislation in that one little provision captures the national and international implications of this telecommunications revolution, what is possible and what we are helping to lay the foundation for as the Members of this House vote on this legislation here today.

Mr. HASTERT. Mr. Speaker, I rise to voice my strong support for H.R. 2639, the Telecommunications Infrastructure and Facilities Assistance Act of 1993. Part D of this bill would establish the Telecommunications and Information Infrastructure Program within the National Telecommunications and Information Administration [NTIA]. The purpose of this program is to promote widespread availability of advanced telecommunications technologies to the public, including educational institutions and health care providers, and support through the interconnection and improvement of existing facilities, the formation of nationwide, high-speed, interactive infrastructure of various information technologies.

For the illumination of Members, I would like to include in the RECORD a copy of testimony submitted by Morteza A. Rahimi, vice president and professor of engineering and computer science at Northwestern University to the telecommunications and finance Subcommittee on the merits of this bill.

STATEMENT ON CAPABILITIES AT NORTHWESTERN UNIVERSITY AND A CHICAGO-AREA INFORMATION INFRASTRUCTURE CONCEPT

(By Morteza A. Rahimi)

Mr. Chairman and other distinguished Members of the Subcommittee. I am submitting written testimony in support of H.R. 2639 to be inserted in the official record on behalf of Northwestern University.

I consider H.R. 2639 an important vehicle for transferring much of what is being developed in our leading universities to the rest of the society. While the emphasis in many earlier government programs has been on research and development of new technology, the program being considered emphasizes the deployment of existing technologies. If wisely administered, this program will encourage the integration of knowledge and technology developed at universities for application to broad issues of national concern, particularly in underserved areas. To demonstrate this, I will provide the committee with a wide range of development, technologies, and collaboration that have shaped Northwestern programs. These programs already support a number of partnerships with health care providers, K-12 education, government agencies, and businesses. I will then present a general description of how Northwestern University hopes to expand and build upon these services, using telecommunication and networking, to serve many more people in the Chicago area.

Northwestern University has recently expanded its network to provide high-speed access to a rich distributed computing environment to all members of the University communities in Chicago and Evanston. This network has high speed links to the Internet and to commercial networks, making it possible to share resources and capabilities beyond our campus boundaries. We are explor-

ing ways to extend the University network, using existing commercially available telecommunication means, to include our current and future educational, industrial, and medical partners in the Chicago area. The expanded network will provide us all with better connection to the Internet and to emerging public network services. We plan to include our sister universities, libraries, museums, and service agencies in the Chicago area.

We hope to expand collaboration between our medical school and other health care support groups to improve regional health care. We hope to use this networking capability to expand our collaboration with our industrial and service partners. And, we hope to use the network to expand our involvement with Greater Chicago schools and to deploy the resources of our industrial partners to improve science and technology training throughout the area.

A few notable examples of collaborative and developmental efforts of University organizations are given below. The varied activities, from learning visualization to telemedicine, are the bases for our present telecommunication-based activities and could be the bases for possible activities supported under H.R. 2639.

The Learning through Collaborative Visualization Project, led by Professor Roy Pea, is attempting to transform science learning to resemble more closely the authentic practice of science. The project is using wide-band commercially available ISDN networks to join high school students with other students at remote locations in collaborative work groups. Through these networks, students will communicate with University researchers and other scientific experts. Participating students study atmospheric and environmental sciences through project-based activities. Using state-of-the-art scientific visualization software, specially modified to be appropriate to a learning environment, students have access to the same research tools and data sets used by leading-edge scientists in the field. The project will provide students with a "collaboratory" workbench that includes desktop video teleconferencing; shared software environments for remote, real-time collaboration; access to the resources of the Internet; a multimedia scientist's "notebook"; and scientific visualization software. In addition to providing new technology, the project is working closely with teachers at participating schools to develop new curricular and new pedagogical approaches that take advantage of project-based science learning. Faculty from the School of Education and Social Policy as well as from the Institute for Learning Sciences are working on this project. It is supported by a grant from the National Science Foundation. Project partners include the National Center for Supercomputing Applications, the Technical Educational Research Center, and The Exploratorium (science center), Ameritech, Apple Computer, Bellcore, Science Kit/Boreal Labs, and SUN Microsystems.

The Total Quality School Project, led by Professor Stuart Greenbaum, is a project in the Kellogg Graduate School of Management. The assumption of the project is that school administrators in our core city are as capable as business managers if given the same opportunity to learn management techniques. Therefore, the project uses the facilities and resources of the Kellogg School, normally used to train corporate leaders, to train Chicago school administrators on total quality management. The fund-

ing for the program comes partially from the University and partially from business partners who "adopt a school."

The Institute for Learning Sciences, led by Professor Roger Schank, was established at Northwestern University in 1989. The goal of the Institute is to create innovative, computer-based learning environments, based on leading-edge research in cognitive sciences and artificial intelligence, that exploit developing theories about the way humans actually learn, remember and reason. The teaching and learning systems being built employ sophisticated software technologies in compelling, interactive, multimedia systems. The Institute is intended to serve as a catalyst for change in school systems through software that alters how and what children learn. Research and development is conducted by project teams, representing several areas of expertise such as natural language processing and interface design, instructional design, and computer and multimedia technologies. The faculty is drawn from several university departments, including Electrical Engineering and Computer Science, Psychology, and the School of Education and Social Policy.

Northwestern's Medical School and Northwestern Memorial Hospital are now investing in an advanced information network to connect their various facilities and will then extend this network to select community-based clinics and private physician offices in an effort to link ambulatory and inpatient care, education and research.

The Weinberg Medical Informatics Training Center was conceived and designed to prepare today's medical students for practice in the 21st Century by introducing them to Medical Informatics, the integration of Information Management and Decision Science. The Weinberg computer-equipped classroom serves as a major resource for training medical students, post-M.D. trainees, faculty, alumni, practicing physicians, and other health care professionals in the use of such education resources as lecture presentation programs and clinical simulations, in the use of such productivity tools as word processing and spreadsheets, and in the use of decision support tools such as decision trees and expert systems. It is also a classroom where computer-based interactive programs have been integrated into course curricula such as in physiology, neuroscience, and statistics. The Weinberg Center has also been the site of Northwestern's participation in the evaluation of computer-based student assessment being developed by the National Board of Medical Examiners.

The Center for Information and Telecommunication Technology, led by Professor Albert Rubenstein, is a multidisciplinary research center that does basic and applied research on a wide range of topics. Typically, CITT studies are concerned with the stage before commercialization. Projects concentrate on areas in which the capabilities of CITT members provide a comparative advantage, including design and performance measurement for computer and communications networks, personal communications systems and wireless information networks, users' needs for intelligent systems, automatic document processing, image processing, database management, and the economics and organization of information technologies in the service sectors. CITT is based in Northwestern University's Robert R. McCormick School of Engineering and Applied Science. Faculty members from several McCormick departments and other schools at Northwestern participate in CITT research and related activities. CITT partners

come mainly from manufacturing and the service sector, such as hospitals and insurance companies.

The campus information service, NUInfo, provides information about campus services and an electronic calendar of events. Individual departments have established their own information servers to provide current departmental information to their faculty and student. NUWho is an electronic directory that is automatically updated each month and provides the most recent information about Northwestern faculty, staff and students. Students use e-mail clients software to receive and send electronic mail. A server of public domain and site license software is available. This server includes various networking software that enables faculty, students and staff to take advantage of the resources available to them on the Internet.

The Northwestern Library has been a leader in the use of computers to provide services to the Northwestern Community. The NOTIS/LUIS electronic catalog system, which Northwestern developed and installed in over 100 universities, is now a commercial product. The Library has begun to provide new types of services and information electronically across the campus network. Databases that can be accessed from the campus include Science Citation Index, ERIC, Dissertation Abstracts, Newspaper Abstracts, and Grolier's Electronic Encyclopedia. The Oxford English Dictionary (OED) is available for campus network access. It uses PAT to enable users to perform sophisticated searches for words or phrases in text collections and display them on screen in context. The Library has recently made the Perseus Project's electronic collection of ancient Greek texts and graphics on the campus network. The Galter Health Sciences Library provides network access to NUMed resources, which includes the Medline database.

The Instructional Technology Group works with departments and schools to support and develop ways of integrating technology into instruction. Electronic mail, list services, and news programs are being used to support the interaction between faculty and the students they teach outside of the normal class time. Seven new electronic classrooms have been installed on campus over the last year. These classrooms provide computer-controlled audio and video equipment (laser disc, VCR, CD-ROM) and access to the campus network. The podiums in these classrooms include a Macintosh and a PC system, or a UNIX workstation. Faculty can also connect their own computer or laptop for a class presentation.

A Network Operations Center has been established to monitor the network and to guarantee dependable services. The information technology staff work with departments and schools on the design and installation of network connections and on the creation of Local Area Networks (LANs). The staff is also available to provide ongoing technical support of established network connections and LANs throughout the year. The Distributed Computing Group has also been created to establish distributed computing environment across the University Network that will support new network services to users and access to a new level of computing resources. A Network Applications Development Group has been created to develop client/server applications that benefit instruction, research, and administrative computing at Northwestern. The University Network was designed not only to meet today's needs to provide options for smooth transi-

tions to future networking and computing technologies that will offer integrated data, voice and video services across a single network.

To accomplish the tasks necessary to expand these services to the entire community in the Chicago area, we propose to use our networking capabilities and the computational powers available to us and to our partners to create a common platform for the support of diverse educational, health care, and business support applications and to create an easy-to-use electronic environment for collaboration.

We hope to pursue four objectives:

Strengthen and expand university support of schools in the Greater Chicago area.

In 1992 our faculties participated in a variety of projects in K-12 science education. A collaborative network environment would greatly enhance the effectiveness of faculty in education, science, engineering, and business in working with local schools.

Deploy the science and technology capabilities of Greater Chicago Industries in support of K-12 science education.

There are thousands of scientists and engineers employed by local industry who could bring their knowledge and interest to bear upon improving science education, teacher education, and learning research. The enhanced networked environment would facilitate their involvement in area schools by supporting remote collaborative efforts with students, teachers, and researchers.

Expand opportunities for collaboration among medical schools and their health care provider partners.

The collaborative capabilities and shared resources of an expanded network have the potential to enhance research, to improve medical services, to increase health care efficiencies, and to support remote clinics in underserved areas.

Strengthen and expand the University's partnership with manufacturing and service industries.

In 1992 our faculties received over \$22,000,000 from business and industry in support of collaborative projects. The envisioned collaborative network environment will provide new possibilities for collaboration between local universities and business, including expanded multi-disciplinary projects.

To accomplish the above objectives, we propose to:

Deploy the existing telecommunication infrastructure to link us to our educational, medical and industrial partners.

The combination of the Internet and public network services will make it possible effectively to share resources and data, to exchange ideas and information, and to collaborate with partners in a variety of professions at different locations.

Establish a collaborative environment through electronic mail, electronic conferencing, resource sharing, and other software.

We are integrating communication and collaborative tools for our internal use. These tools could be extended to K-12 schools, health care facilities, and industrial partners in order to encourage interaction across a wide range of projects.

Identify and support important applications that can benefit several professions.

Professions, regardless of their field, have many common software needs. Visualization software, for example, is used throughout science and engineering as well as in education and business. Adopting a common set of tools across different platforms would fa-

cilitate collaboration. It would provide a conceptual bridge between different disciplines that can stimulate the development of new approaches and solutions to problems.

Create a model for the support of work in a network setting that can be emulated elsewhere.

Developing a network model for collaboration will substantially enhance the computational resources available to users and improve their productivity. The resulting environment would distribute computing resources across the network and offer individuals access to the combined resources of networked workstations, large and small servers, and remote super computers that far exceed the capabilities normally available to any single individual or group.

Create a network environment that enables industrial scientists to provide support for K-12 science education.

It would be unrealistic to expect industrial scientists to spend a portion of their time away from their offices to support K-12 instruction. In a networked environment, however, they could participate in the development of materials for instruction, act as consultants to teachers, enable apprenticeships for learning science through doing science, and be resources and role models for the students from the desktop computers in their offices.

Create a team of support personnel to integrate existing software and to develop software needed to support activities across different disciplines.

By defining a standard architecture across the network, a single team will be able to develop common tools that would serve the diverse needs of collaboration between universities K-12 education, health care, and industry. The effort could provide a national model for the deployment of existing technologies in various disciplines for multi-disciplinary purposes.

Provide support to teachers, scientists, engineers, and other professionals so that they can devote a portion of their time to develop concepts and to participate in collaborative efforts.

A mechanism will be sought out to provide release time for participants so they can contribute to the evolution of projects. The collaborative environment will allow us to take advantage of people's limited time more effectively.

Evaluate the effectiveness of the collaborative network environment to support learning, health care, and economic development.

We will develop ways to evaluate the results of our activities so that we can demonstrate what is effective and what is not, and thus, provide a "total quality" approach to uses of networked environment in support of these diverse activities.

In conclusion, Mr. Chairman, Northwestern is actively using information technology to support her varied collaborations with many other organizations in the Chicago area. We welcome your initiative to make resources available that could be used to expand these Northwestern University activities in Chicago and could be used to support other organizations interested in undertaking similar projects elsewhere in the United States.

Thank you for the opportunity to submit this statement to the subcommittee.

Mr. SYNAR. My Speaker, I rise today in support of H.R. 2639, legislation that will bring America's diverse social service needs in line with 21st century technology.

In 1956, the Federal Government made a commitment to building a national interstate

highway system, in order to provide better commerce and recreational opportunities for all Americans. One of the guiding principles at that time was that no one, whether they lived in Nowata, OK, Malden, MA, or Dearborn, MI, would be left without access to the Nation's evolving transportation system.

It is in this same spirit that Congress must champion the current private sector effort to build a telecommunications infrastructure so that we have a system linking to citizens to information that will enhance their lives and health. The possibilities are enormous—from schoolchildren in Stilwell, OK, learning college calculus by satellite to doctors from the Mayo Clinic diagnosing the illness of a patient hundreds of miles away at a hospital in northeastern Oklahoma.

These types of projects should be developed through public-private partnerships that are catalyzed by grants to State and local governments, hospitals, museums, libraries, and schools. The Telecommunications and Information Infrastructure Grant Program outlined in NTIA's expanded authorizing legislation will fund network projects and last mile linkages so that the promise of the Nation's information superhighway is brought to citizens in both rural and urban areas.

One of the most important applications of these networks will be in the area of telemedicine. The capability of transfer medical data and images electronically will be a critical part of any reform proposal to deliver preventive and diagnostic medical services to rural Americans in a cost-effective way. That is why this legislation mandates that the Secretary of Commerce create and maintain a clearing house on state-of-the-art telemedicine activities and urges the Department to focus its efforts on funding appropriate NTIA grants in the area of rural health care delivery.

In addition, I am pleased to note that this bill also reauthorizes NTIA to continue its programs in the areas of public broadcasting and children's educational television over the next 5 years. These grant programs leverage Federal dollars to maintain our public broadcasting facilities so that vital educational and cultural programming can flourish in the future.

I urge my colleagues to support this legislation, so that we can take concrete steps in bringing the best of telecommunications technology and its real-time, real-life benefits to Oklahomans and Americans throughout our Nation.

Mr. MARKEY. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. ORTON). The question is on the motion offered by the gentleman from Massachusetts [Mr. MARKEY] that the House suspend the rules and pass the bill, H.R. 2639, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MARKEY. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days in which to revise and extend their remarks, and include extraneous matter, on H.R. 2639, as amended, the bill just considered and passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

TRIBUTE TO ERNEST PETINAUD

By unanimous consent, Mr. MONTGOMERY was allowed to proceed for 1 minute and to revise and extend his remarks.

Mr. MONTGOMERY. Mr. Speaker, one of our most respected retired employees on Capitol Hill died yesterday. I am speaking of Ernest Petinaud, who was the maitre d' in the House Members dining room for many, many years.

Ernest's home was engulfed in flames Saturday, and Ernest lost his life in that house. I would like to point out something about Ernest Petinaud.

Mr. Speaker, Ernest was from Panama. He lived for 88 years. He came to work on the Capitol Hill, he came when he was just 16 years old and worked as a busboy, as a waiter, became maitre d' when the House front extension made room for the new concession of the congressional dining room.

He worked in the Capitol for over 40 years.

Mr. Speaker, the Members dining room is named the Petinaud Room after Ernest.

Mr. Speaker, we do not have funeral arrangements, but we will make those available when we have that information.

Ernest died at the age of 88, an old friend of ours.

Mr. EMERSON. Mr. Speaker, will the gentleman yield?

Mr. MONTGOMERY. I yield to the gentleman from Missouri.

Mr. EMERSON. I thank the gentleman for yielding to me.

Mr. Speaker, I want to associate myself with the remarks of the gentleman from Mississippi. I am really distressed to hear this information. I have not heard it before.

Mr. Speaker, I have known Ernest probably in excess of 30 years; knew him well, joked with him, traded stories with him. Mr. Speaker, this is most distressing news. I join the gentleman from Mississippi [Mr. MONTGOMERY] in expressing sorrow about this tragedy.

Mr. MONTGOMERY. I appreciate the remarks of the gentleman from Missouri.

□ 1700

TRIBUTE TO REAR ADM. MICHAEL L. BOWMAN

(Mr. SKELTON asked and was given permission to address the House for 1 minute.)

Mr. SKELTON. Mr. Speaker, I take this opportunity to recognize and say farewell to a fellow Missourian who has served ably and well over the past 21 months as the Navy's Commander of Legislative Affairs. That is Rear Adm. (lower half) Michael L. Bowman.

During his tenure, he has provided timely support and accurate information on Navy and Marine Corps plans and progress. His reports have enabled the Defense agencies and Congress to work directly together to ensure the modern, well-trained and well-equipped naval forces remain strong for our country. Admiral Bowman has opened and maintained lines of communication with Members and staff alike which fueled an atmosphere of mutual respect and common purpose.

A veteran of Vietnam and leader of Air Group 1 in Desert Storm, this highly decorated combat veteran now goes on to become the commander of Carrier Group 6 based in Mayport, FL. I know all the Members of this body join me in wishing Adm. Michael L. Bowman the very best.

COMMENDING AMERICAN AIRMEN HELD AS PRISONERS AT BUCHENWALD CONCENTRATION CAMP DURING WORLD WAR II

Ms. BYRNE. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the concurrent resolution (H. Con. Res. 88) recognizing and commending American airmen held as prisoners of war at the Buchenwald concentration camp during World War II for their service, bravery, and fortitude and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore (Mr. ORTON). Is there objection to the gentleman from Virginia?

Mrs. MORELLA. Reserving the right to object, Mr. Speaker, as sponsor of this legislation, I rise in strong support of House Concurrent Resolution 88.

Mr. Speaker, I yield to the gentleman from Mississippi [Mr. MONTGOMERY] who chairs the Veterans' Affairs Committee and who is the chief sponsor who introduced this resolution.

Mr. MONTGOMERY. Mr. Speaker, I thank the gentlewoman from Maryland for yielding to me.

Mr. Speaker, I rise in support of this resolution. I am proud to be the author of this piece of legislation, which recognizes and commends the American survivors of the Buchenwald concentration camp in World War II.

I want to thank the committee chairman, the gentleman from Missouri [Mr. CLAY] and the gentlewoman from Maryland [Mrs. MORELLA] for taking such a big interest in this legislation.

I think it is of great interest to the Speaker and other Members. I would

briefly like to explain what the resolution does, and I want to thank the gentlewoman from Virginia [Ms. BYRNE] for bringing the resolution so quickly to the floor.

Eighty-one American military men in the Army Air Force and 92 other allied fliers were held as prisoners. These prisoners were considered as spies because they were captured in civilian clothes.

Since the end of World War II, the Allied nations of Canada, Australia, and New Zealand have recognized their airmen who were in Buchenwald. In addition, the Danish Government has recognized the 1,700 Danish policemen who also were at Buchenwald with our American airmen.

It is only fitting that our country pays tribute with this recognition. The resolution requests the President to issue a proclamation to recognize and commend these gallant airmen for their bravery and fortitude in surviving the horrors of the Buchenwald concentration camp. I am proud to have introduced the resolution and urge its passage.

Mrs. MORELLA. Mr. Speaker, further reserving the right to object, I appreciate this opportunity to say a few words regarding House Concurrent Resolution 88.

I would also like to express my appreciation to the chairman of the Committee on Veterans' Affairs, Mr. MONTGOMERY, and the dedicated work by Chairman MONTGOMERY's staff, Al Bemis, for introducing this legislation which would recognize and commend the American airmen held as prisoners of war at the Buchenwald concentration camp during World War II.

Eighty-one American military men in the Army Air Force, along with 92 other Allied fliers, were held as prisoners. They were considered spies because, when they were captured in 1944, they were dressed in civilian clothes. These airmen did what they were trained to do: They tried to elude the enemy and resist capture, and were trying to make their way back to their units. In doing so, many of the airmen—who were over France at the time—met the Resistance and wore civilian clothes. The capturing army considered the Allied personnel in civilian clothes as saboteurs and spies. The captured airmen were first sent to Fresnes Prison in Paris and then to Buchenwald.

Since then, the Allied Nations of Canada, Australia, and New Zealand have honored their airmen who were imprisoned in Buchenwald. The Danish Government has erected a museum honoring the 1,700 Danish police officers who were imprisoned with the Allied airmen. This is the first opportunity that we have had in our country to recognize these American airmen.

Mr. MONTGOMERY has shared with us a communication written by one of the survivors who states in his letter:

Buchenwald was a real place with real atrocities to mankind. What is unreal is the unwillingness of the U.S. Government to recognize that American airmen were in fact imprisoned in Buchenwald. Those of us wounded in battle are embarrassed when seeking VA medical assistance to see reflected in our V.A. records the statement, "Claims he was imprisoned in Buchenwald."

Chairman MONTGOMERY has said that these Allied airmen who were held as prisoners of war displayed faithful service, personal bravery, and exceptional fortitude and deserve to be honored. Passing this legislation, Mr. Speaker, will help us to correct some of the historical gaps in America's intervention in World War II and, recognize the sacrifices made by our own brave military personnel.

I urge my colleagues to support this measure.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 88

Whereas, during World War II, 173 Allied airmen were captured by the enemy and held as prisoners of war at the Buchenwald concentration camp in Weimar, Germany;

Whereas the captured airmen included 81 Americans, 27 Canadians, and 65 Britons, Australians, and New Zealanders;

Whereas the facts and circumstances of their confinement are amply documented in the official records maintained by the National Archives and Records Administration;

Whereas a report from the International Red Cross concerning Stalag Luft III in Sagan, Germany, mentioned 6 American Airmen held at Buchenwald, including 1 whose name does not appear on the lists maintained by the National Archives;

Whereas, since the liberation of Buchenwald in 1945, numerous personal memoirs, scholarly books, and articles have been published describing the conditions at the concentration camp;

Whereas this extensive documentation records the extraordinarily inhuman treatment, deprivations, and personal suffering inflicted on prisoners of war and other inmates at Buchenwald; and

Whereas Allied Governments and veterans organizations outside the United States have granted special recognition to their citizens and members who were held as prisoners of war in World War II concentration camps: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) recognizes and commends the valiant American airmen held as prisoners of war at the Buchenwald concentration camp during World War II for their faithful service, personal bravery, and exceptional fortitude; and

(2) requests that the President issue a proclamation recognizing and commending the service, bravery, and fortitude of the American airmen.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

NATIONAL GOOD TEEN DAY

Ms. BYRNE. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 75) designating January 16, 1994, as "National Good Teen Day" and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

Mrs. MORELLA. Reserving the right to object, Mr. Speaker, and I do not object, I yield to the gentleman from Ohio [Mr. TRAFICANT], who is the chief sponsor of House Joint Resolution 75.

Mr. TRAFICANT. Mr. Speaker, I thank the gentlewoman from Maryland for yielding to me.

Mr. Speaker, I rise in support of House Joint Resolution 75, designating January 16, 1994, as "National Good Teen Day." I would like to thank Chairman CLAY and ranking member MYERS of the Post Office and Civil Service Committee for their assistance in quickly bringing this important piece of legislation to the floor.

I introduced this bill earlier this year because I believe that a national day should be created to focus on the positive qualities in America's youth. Last year, President Bush signed into law this initiative, and January 16, 1993, was declared "National Good Teen Day."

The concept of Good Teen Day was created by Mr. Robert Viencek, an instructor of English at Salem High School in my district. He selected January 16 as Good Teen Day because Abraham Lincoln, our 16th President, was quoted as saying, "When you look for the good in man, you'll always find it." Viencek says that the 16th is, quote, "A special year in the lives of teenagers, it is the age when many young people start to drive and start to work—it is also the middle date of the seven teen years—13-19." Salem City schools designated January 16, 1992 as "Good Teen Day." The city of Salem, OH, as well as the Ohio House of Representatives, have extended recognition to Salem City Schools for this important commemoration.

Mr. Speaker, our Nation's teenagers represent an important part of our society. The many physical and emotional changes and character-building experiences that teenagers go through are an important concern. It is often easy to stereotype teenagers as either those who have problems or those who excel. Teenagers should not simply be recognized for their intelligence, abilities, skills, and talents, but rather for the good which is inherent in all human beings.

Teenagers are the future of our great country. There are more than 24 million teenagers in the United States according to the latest census. Therefore,

I believe that Mr. Viencek's idea should not be limited to one locality, but expanded to the national level.

Mr. Speaker, I again thank Chairman CLAY and ranking member MYERS for their help in honoring our Nation's teenagers. I would also like to thank 250 of my colleagues who saw the merits of "National Good Teen Day" and cosponsored the bill.

Mrs. MORELLA. Further reserving the right to object, Mr. Speaker, I want to thank the gentleman for introducing the resolution and for speaking so positively about it.

It is true that we must recognize the good that teenagers do and the inspiration that we as adults are to them.

I did not realize until the gentleman mentioned it that the 16th was chosen because of the 16th President, and the 16th President, Abraham Lincoln, also said, "Bring out the better angels of our nature."

I think we all have a responsibility to look to our teens, knowing that they are going to be our future and give them the opportunities to bring out the better angels of their nature.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 75

Whereas Salem City Schools in Salem, Ohio, have proclaimed January 16, 1992, as "Good Teen Day";

Whereas there are more than twenty-four million teenagers in the United States according to the 1990 Census;

Whereas our Nation's teenagers represent an important part of our society, and the many physical and emotional changes and character-building experiences which teenagers go through are an important concern;

Whereas it is easy to stereotype teenagers as either those who have problems or those who excel;

Whereas teenagers should not simply be recognized for their intelligence, abilities, skills and talents, but rather for the good which is inherent in all human beings;

Whereas as unique individuals, teenagers are encouraged to esteem the good as well as the potential that is within each of them;

Whereas a day should be created to focus on the positive qualities in America's youth; and

Whereas teenagers are the future of this great country: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That January 16, 1994, is designated as "National Good Teen Day," and the President is authorized and requested to issue a proclamation calling on the people of the United States to observe such day by recognizing the teenagers of the United States and by participating in appropriate ceremonies and activities.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

□ 1710

NATIONAL FAMILY WEEK

Ms. BYRNE. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 79) to authorize the President to issue a proclamation designating the week beginning on November 21, 1993, and November 20, 1994, as "National Family Week," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore (Mr. ORTON). Is there objection to the request of the gentleman from Virginia?

Mrs. MORELLA. Mr. Speaker, reserving the right to object, I yield to the gentleman from Indiana [Mr. MYERS] who is the chief sponsor of House Joint Resolution 79.

Mr. MYERS of Indiana. Mr. Speaker, I thank the gentleman from Maryland [Mrs. MORELLA] for yielding, and I thank her and the gentleman from Virginia [Ms. BYRNE] for bringing this action to the floor today.

A number of years ago, Mr. Speaker, when I first came to Congress, a schoolteacher in Indiana came forth with the idea that we should honor the family, and how appropriate that is today. All of us are here because we have families, and most of us have families that we respect. At a time when, particularly, young people find it difficult to adjust themselves into society, there is something wrong with its fabric, and maybe we need to have more attention paid to the family, so it is appropriate at this time of Thanksgiving particularly that we recognize the value of the family, the importance of the family, to our American way of life, and the things we kind of take for granted are there because our families have given those things to us.

So, Mr. Speaker, today I am thankful that this bill has been brought to the floor. I hope someday we will not have to do this on an annual basis, that we can recognize the family as an institution, a vital institution, a vital part of our life in this country, and we will not need to do this on an annual basis. We will do it every year without having to have this legislation. But in the meantime I say, "Thank you."

Mrs. MORELLA. Mr. Speaker, further reserving the right to object, I point out that this resolution, thanks to the sponsor, has been around for 22 years, and today we are going to make it 23 and 24 years because this is going to designate the week beginning November 21, 1993, and November 20, 1994, as National Family Week.

Much has been said about the family and its different configurations, but there is no doubt that, whether it is a single head of household, whatever

kind of family it is, the family unit is critical to the health and welfare and strength of our Nation. It is through the family that values occur, and, where there is not the outward semblance of family, I think we, as a community, have a responsibility to try to provide that.

So, Mr. Speaker, I certainly commend the gentleman from Indiana [Mr. MYERS] for introducing this resolution, and I do hope that we remember it, not just 1 week every year, but every day of every year.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 79

Whereas the family is the basic strength of any free and orderly society;

Whereas it is appropriate to honor the family as a unit essential to the continued well-being of the United States; and

Whereas it is fitting that official recognition be given to the importance of family loyalties and ties: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized and requested to issue a proclamation designating the week beginning on November 21, 1993, and November 20, 1994 as "National Family Week".

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL CHILDREN'S DAY

Ms. BYRNE. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 139) to designate the third Sunday in November of 1993 as "National Children's Day," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

Mrs. MORELLA. Mr. Speaker, reserving the right to object, I yield to the gentleman from the Eighth District of Massachusetts [Mr. KENNEDY] who represents my mother there and who is the prime sponsor of this resolution.

Mr. KENNEDY. Mr. Speaker, I thank the gentleman from Maryland [Mrs. MORELLA] for that kind introduction. The fact is that she is probably the only person that I am delighted has moved out of the Eighth Congressional District of Massachusetts so that she could represent, I think it is, the Eighth District here in the State of Maryland so that there is a little less competition up there in my home

State. But I also want to thank the gentleman from Missouri [Mr. CLAY], chairman of the Committee on Post Office and Civil Service, and the gentleman from Indiana [Mr. MYERS], who have always done such fine work on the committee, as well as the gentlewoman from Virginia [Ms. BYRNE] for her efforts in bringing this important commemorative to the floor. I very much appreciate all the time and effort that the committee spent on this issue.

Mr. Speaker, on Sunday, November 21, this country will celebrate the fifth annual National Children's Day. It is a time to honor our kids, celebrate their many triumphs, listen to their hopes and concerns, and reflect for a moment on the world they are living in and the world we are leaving them.

There is an urgent need now, to address the problems of children.

Difficult economic times have had a tragic effect on our Nation's children. There are half a million homeless children in America. Children who are living completely on their own now account for 4 percent of the total homeless population in our country.

Health care is sorely lacking for millions of American children. Eighty percent of children in low-income families have one or more medical problems that go untreated.

Child abuse and neglect have become a national heartache, and the statistics are intolerable. Forty-two out of every 1,000 children have been abused or neglected.

And that mistreatment begins a cycle of violence. Every city in this country is reeling from the staggering increase of violent crimes committed by juveniles, and it just seems to me that at a time in our country's history when the kids are under attack by so many of our Nation's problems that we need a day to celebrate the tremendous contributions that they made to this country, contributions that kids all across our Nation, as the gentlewoman from Maryland [Mrs. MORELLA] can remember from the hearings that we have had in years past as a result of the passage of this commemorative, kids that come in and testify about how they combat homelessness, how they are involved in projects to reduce hunger at the local level, how they are involved in sports, how they are involving themselves at their own schools in trying to come up with projects where they talk to other kids about the kind of violence that exists in schools, and the amounts of drugs, how kids are helping other kids by talking them out of drug abuse.

It just seems to me that at a period of time in our Nation's history where kids are so vulnerable in our society that we can take 1 day out of the year and say that we are going to honor our children, we are going to honor kids that have done special things, and we are also going to honor kids across the

country. We are going to urge parents to just take an hour out of that day and spend that hour with their child reading, take them for a walk in the park, take them to a ball game, show their children that we care, and it does not just have to be their own kid. It can be their nephew or their niece. It can be a kid next door. It can just be any child that for 1 hour, for 1 day out of the 365 days of each calendar year, for 1 day we can make for those kids a very special day and let them know that we, as a family, we, as a nation, honor them, that we are going to tell them that they are important, that they count, and that every one of them can make a difference.

Mr. Speaker, we need to send a message to our Nation's children that they are our greatest resource. We hear so much rhetoric in this Chamber, and yet there can be no more fundamental calling for any Member of Congress than to say that we want to have a better country for our Nation's future.

Mr. Speaker, I thank so much again the gentlewoman from Maryland [Mrs. MORELLA] for the efforts that she has made in helping me get this passed in years past and for the efforts that she has made to be at every hearing that we have had to celebrate National Children's Day. We look forward to working with her again in the future, and again I want to thank particularly the gentlewoman from Virginia [Ms. BYRNE] for her efforts at being a freshman and making this day possible to honor our Nation's kids. I thank them both very much for their efforts.

Mrs. MORELLA. Mr. Speaker, further reserving the right to object, again I want to commend the gentleman from Massachusetts [Mr. KENNEDY] for this recognition of National Children's Day. There is just no doubt that we as adults are teachers of children. They look to us as role models. They follow what it is that we say is right and good in our society, and they are so bewrought with the temptations and the problems, as has been mentioned with homelessness, with violence in the home, violence on the streets, violence in the media, with just so many problems. It is up to us as adults to provide the opportunities and to look to them, pat on the back, give them the health, give them the education, give them the values that are going to make them the leaders of tomorrow.

□ 1720

As a matter of fact, it is interesting that we have had three resolutions in a row. I know that the gentlewoman from Virginia [Ms. BYRNE], who has handled them on that side and has been so supportive, knows that they all tie in to children. We have this one, National Children's Day, which is so important, and then we had Good Teen Day, to recognize as they progress the

values that these teens give in terms of helping with national service and helping in so many ways in their communities. Then we had the Family Recognition Week. So it all ties together, and I hope it is a wakeup call for all of us as we prepare for Thanksgiving to look to our children who will become teens and hope that they will become in some way a part of a family unit that we can provide.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. ORTON). Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 139

Whereas the people of the United States should celebrate children as the most valuable asset of the Nation;

Whereas children represent the future, hope, and inspiration of the United States;

Whereas the children of the United States should not be allowed to feel that their ideas and dreams will be stifled because adults in the United States do not take time to listen;

Whereas many children face crises of grave proportions, especially as they enter adolescent years;

Whereas it is important for parents to spend time listening to their children on a daily basis;

Whereas modern societal and economic demands often pull the family apart;

Whereas encouragement should be given to families to set aside a special time for all family members to remain at home;

Whereas adults in the United States should have an opportunity to reminisce on their youth to recapture some of the fresh insight, innocence, and dreams that they may have lost through the years;

Whereas the designation of a day to commemorate the children of the United States will provide an opportunity to emphasize to children the importance of developing an ability to make the choices necessary to distance themselves from impropriety;

Whereas the designation of a day to commemorate the children of the Nation will emphasize to the people of the United States the importance of the role of the child within the family;

Whereas the people of the United States should emphasize to children the importance of family life, education, and spiritual qualities; and

Whereas parents, teachers, and community and religious leaders should celebrate the children of the United States, whose questions, laughter, and tears are important to the existence of the United States: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the third Sunday in November of 1993 is designated as "National Children's Day", and the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States to observe the day with appropriate ceremonies and activities.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Ms. BYRNE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the commemorative joint resolutions and the concurrent resolution just considered and passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

PROPOSED IMPORT PROHIBITIONS AGAINST THE PEOPLE'S REPUBLIC OF CHINA AND TAIWAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 103-162)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Merchant Marine and Fisheries and ordered to be printed:

To the Congress of the United States:

On September 7, 1993, the Secretary of the Interior certified that the People's Republic of China (PRC) and Taiwan are engaging in trade of rhinoceros and tiger parts and products that diminishes the effectiveness of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Five rhinoceros species and the tiger are listed in Appendix I of CITES, which means that the species are threatened with extinction and no trade for primarily commercial purposes is allowed. Although recent actions by the PRC and Taiwan show that some progress has been made in addressing their rhinoceros and tiger trade, the record demonstrates that they still fall short of the international conservation standards of CITES. This letter constitutes my report to the Congress pursuant to section 8(b) of the Fisherman's Protective Act of 1967, as amended (Pelly Amendment) (22 U.S.C. 1978(b)).

The population of the world's rhinoceros has declined 90 percent within the last 23 years to the present level of less than 10,000 animals, and the tiger population has declined 95 percent within this century to the present level of about 5,000. Neither the PRC nor Taiwan has fully implemented the international standards established by CITES for controlling the trade in these species, and the poaching of rhinoceroses and tigers continues in their native ranges fueled in part by the market demand in the PRC and Taiwan. These populations will likely be extinct in the next 2 to 5 years if the trade in their parts and products is not eliminated.

To protect the rhinoceros and tiger from extinction, all countries and enti-

ties that currently consume their parts and products must implement adequate legislative measures and provide for enforcement that effectively eliminates the trade, including taking actions to comply with the criteria set down by CITES in September 1993 and fully cooperating with all CITES delegations. The PRC and Taiwan have made good faith efforts to stop the trade in rhinoceros and tiger parts and products, and have, since the announcement of Pelly certification, undertaken some positive legislative and administrative steps in this regard. These efforts, however, have yet to yield effective reductions in trade.

I wish to support and build on these good faith efforts undertaken by the PRC and Taiwan. At the same time, I would like to make clear the U.S. position that only effective reductions in the destructive trade in these species will prevent the rhinoceros and tiger from becoming extinct. Accordingly, I have established an Interagency Task Force to coordinate the provision of U.S. technical assistance to the PRC and Taiwan to help them eliminate their illegal wildlife trade. I have also instructed the Department of the Interior, in coordination with the Department of State and the American Institute in Taiwan, to enter immediately into dialogue with the PRC and Taiwan regarding specific U.S. offers of trade and law enforcement assistance.

Actions by the PRC and Taiwan that would demonstrate their commitment to the elimination of trade in rhinoceros and tiger parts and products could include: at a minimum, consolidation and control of stockpiles; formation of a permanent wildlife or conservation law enforcement unit with specialized training; development and implementation of a comprehensive law enforcement and education action plan; increased enforcement penalties; prompt termination of amnesty periods for illegal holding and commercialization; and establishment of regional law enforcement arrangements. I would expect that in taking these actions, the PRC and Taiwan would take account of the recommendations by the CITES Standing Committee and other CITES subsidiary bodies. In that regard, I am pleased to announce that the United States will participate in a delegation to the PRC and Taiwan organized by CITES to evaluate their progress between now and the March 1994 CITES Standing Committee meeting.

At its last meeting, the CITES Standing Committee unanimously recommended that parties consider implementing "stricter domestic measures up to and including prohibition in trade in wildlife species now" against the PRC and Taiwan for their trade in rhinoceros and tiger parts and products. The United States is prepared, through close dialogue and technical aid, to assist the PRC and Taiwan. I

hope that both will demonstrate measurable, verifiable, and substantial progress by March 1994. Otherwise, import prohibitions will be necessary, as recommended by the CITES Standing Committee.

WILLIAM J. CLINTON.

THE WHITE HOUSE, November 8, 1993.

VACATING SPECIAL ORDER AND GRANTING SPECIAL ORDER TIME

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the 5-minute special order be vacated for the gentleman from Georgia [Mr. KINGSTON] and that a 60-minute special order be granted the gentleman in lieu thereof.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

NAFTA NECESSARY FOR GROWTH IN AMERICAN EXPORTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. WALKER] is recognized for 5 minutes.

Mr. WALKER. Mr. Speaker, we live in revolutionary times. And among the revolutions that are sweeping the world at the present time, is the revolution of the globalization of the economy. More and more we find that the products on Main Street are products that come in from around the world, and what we know is that the United States also ships its products to the world.

What we do know about the United States is that we are the largest exporting nation in the world. We stand to lose more by the countries of the world cutting back on trade than we stand to gain, but we also stand to gain more as in fact trade expands around the world. It seems to me that we need to think about that as we enter into the debate over the next few days on the North American Free-Trade Agreement. Because it is clear to me that the one factor of globalization which we have to take into account is the fact that the world's nations, faced with a globalized economy, are coming together in trading blocs.

Europe has already come together in what has been known as Europe '92, and they now have a European trading bloc. The Pacific rim countries, ranging from Korea, down through Japan, Hong Kong, into Singapore, are coming together in a trading bloc to influence the trade affairs of that part of the world.

What we are attempting to do with the North American Free-Trade Agreement is to bring North America together in a similar kind of trading bloc. It is an important trading bloc, because in fact what it has is the largest consumer market in the world. It is a growing market, largely because of the growth of the Mexican economy.

If the United States is a part of such a trading bloc, it will give it clout in future negotiations with regard to international trade agreements.

We cannot stop the globalization of the economy, but we can in fact be a part of making certain that it is fairer to us. The only way that we can achieve that fairness is if we have the power and clout to make the General Agreement on Tariff and Trade, in other words, the worldwide regulations on trade, meet our needs.

If we do that as a part of the world's largest trading bloc, we have a chance of succeeding. If in fact what happens is we become isolated as a nation, so that only we are trying to negotiate against trading blocs around the world, that isolation will cause us untold difficulties.

Mr. DREIER. Mr. Speaker, will my friend yield on that point?

Mr. WALKER. Certainly. I will be happy to yield to my friend from California.

Mr. DREIER. Mr. Speaker, I thank my friend for yielding. I think the gentleman makes a very good point about the globalization of trade which has taken place.

There are many colleagues here who like to say, "We should negotiate another North American Free-Trade Agreement."

Well, frankly, we know that to come to an agreement on which everyone will agree is virtually impossible. We have found that this one is very tough. The fact of the matter is, as we continue to talk about another NAFTA, we have seen not only the Pacific rim work to come together, but we have got four countries in South America that by 1995 will have a free-trade agreement. Chile is attempting to join with the United States as part of a free-trade arrangement. Then, of course, last December 31 we saw the emergence of EC '92.

So my friend is absolutely right that these trading blocs are developing, and the fact of the matter is the train is rapidly moving out of the station. The world is moving in the direction of satellite technology, cellular telephones, fax machines. All these changes are taking place, and, unfortunately, some here in the United States want to see us stick our heads in the sand.

None of us will argue that the NAFTA is a perfect agreement, but it is lightyears ahead of the status quo.

Mr. WALKER. Reclaiming my time, some Members here in Congress who are opposed to this treaty are in fact protectionists. They are proud to be protectionists. But the problem is that protectionism is a globalized economy is in fact isolationism.

My great concern follows exactly the line that the gentleman has just outlined. My great concern is that Canada, having elected a new government now, may in fact decide that if NAFTA goes

down in the Congress, they will almost certainly pull out of NAFTA. The question is whether they will also pull out of the free-trade arrangement that already exists between our two countries. If in fact they would do that, if there were no NAFTA and if there were no free-trade agreement with Canada left at the end, the United States would stand totally isolated.

Maybe for isolationists that is fine. But, as far as I am concerned, that will be disastrous to our ability to build our economy within a global economy in the future. If I can make just one more point, it seems to me that the other thing that is going to follow, as night follows day, in this particular scenario is that Mexico will not be left isolated.

Mexico is a growth economy. Everybody acknowledges that. People want to take advantage of that growth economy. My guess is that the Japanese and the Europeans, and the Japanese in particular, are going to take advantage of our lack of desire to go into the North American Free-Trade Agreement and will make an agreement themselves.

□ 1730

The Japanese lobbyists in this town are not lobbying against NAFTA because they think that they are doing the good government thing. They are lobbying because they believe that Japan has a very good chance of making the deal the next day after we turn down NAFTA. And if that, in fact, happens, this Nation will not only be isolated from the world, it will be isolated in a way that our toughest trading partners will be right at our border.

NATIONAL AMERICAN INDIAN HERITAGE MONTH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from American Samoa [Mr. FALEOMAVAEGA] is recognized for 5 minutes.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today in support designating the month of November as National American Indian Heritage Month.

Earlier this month the House passed unanimously House Joint Resolution 271 which will designate the month of November, 1993 and 1994 in honor of American Indians. Together with 235 of my colleagues, this bill passed unanimously. There would have been one more cosponsor of this legislation, but because of an administrative oversight, the gentleman from Wisconsin [Mr. KLECZKA] was inadvertently omitted from the list of cosponsors. I want to take this opportunity to personally thank Mr. KLECZKA for his support of this legislation.

Mr. Speaker, each day we are in session this month I will bring to the attention of my colleagues some facet of the history of the American Indians

which warrants this special recognition.

Today, among other topics, I would like to mention a few of the many contributions American Indians have contributed to the United States. Among these are the development and practice, hundreds of years ago, of the fundamental principles of freedom of speech and separation of powers in Government.

Mr. Speaker, also deserving of recognition are American Indian societies which exhibited a respect for the finiteness of natural resources through deep respect of the Earth. These values, which have been held by American Indians for thousands of years, are finally gaining popularity in other cultures as well. Indians showed early colonists how to plant and harvest tobacco and corn. As early as the 1400's many tribal governments were organized into operating cooperatives with managed economies and structured governments and standing militia.

Mr. Speaker, fire was judiciously used to assist in the management of farming land, and helped return nutrients to the soil. After the land was cleared by controlled burns, new plant growth came, and with that the deer that the Indians hunted. The land was also easier to cultivate, and berries and acorns could be gathered more easily. It was through land management of this nature that American Indians made the land more productive while carefully avoiding destruction of the ecosystems in the areas they used.

Mr. Speaker, even our favorite national park in Yosemite Valley was shaped by centuries of Indian burning, pruning, sowing, weeding, tilling, and selective harvesting. That this land could be managed so well while remaining productive speaks very highly of the Indian culture. Today, as we all know, if we want to preserve areas of natural beauty, we designate them as parks, wilderness areas, or in other similar protective categories. Despite complaints that we are protecting too much public land, it does point out the difference in today's society in that we are unable to maintain modest productive use of public lands without these designations. From my perspective, one of today's challenges is to create new ways, or return to old ways, to manage lands which make them productive without the use of contaminants which destroy the land for future generations.

For example, in Oregon, in the absence of controlled fires, the berry bushes no longer produce the thick crops of huckleberries that Indian elders speak of to younger generations. Another example is the underground sandwood plant found in the Sonora desert. Today, the plant is considered endangered in two States, yet when Indians migrated throughout the area in which it grew, the regular gathering

stimulated the branching of sweet, tender tissue.

Mr. Speaker, although not well known, not all American Indians were given U.S. citizenship until 1924, and not until 1948 did Indians in all States have the right to vote. Nevertheless, American Indians have served honorably in support of the United States in every war and conflict it has fought.

Mr. Speaker, the history of the relationship of the U.S. Government and the American Indians has not been without conflict. Over the past 200 years, we have gone through periods of armed conflicts, extermination, assimilation, termination of existing relationships, and then recognition of the same tribes again. This process is far from over. Just 2 weeks ago, I spoke at length on this floor in support of H.R. 1426, a bill to provide for Federal recognition of the Lumbee Tribe of Cheraw Indians of North Carolina. The Lumbees are an example of how poorly past relationships with Indians have been managed over the years. Despite recognition by the State of North Carolina, and general agreement among the experts that the Lumbees are, in fact, Indians, the Lumbees have been striving for Federal recognition for over 100 years. In the 102d Congress, a bill to provide for Federal recognition of the Lumbees passed in the House of Representatives, but was two votes short of those needed to pass a cloture motion in the Senate. The future of the Lumbees is again with the Senate, and I hope for a more satisfactory resolution of this issue during this Congress.

Mr. Speaker, I appreciate the opportunity to bring additional attention and recognition to the American Indians in this month of traditional thanksgiving, and I look forward to elaborating on future items of interest.

IN SUPPORT OF NAFTA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DREIER] is recognized for 60 minutes.

Mr. DREIER. Mr. Speaker, I have taken out this special order this evening to talk about a very important trip that I took this past weekend with several of my colleagues. That trip was to look at the situation in Mexico and specifically to see what the effect of the North American Free-Trade Agreement will have on both the United States of America and Mexico.

I should say that I went to Mexico believing that the North American Free-Trade Agreement was very important for the future of our entire hemisphere. And having returned just last night, I am even more convinced that it is clearly the right thing to do. In fact, it was a fascinating juxtaposition for me yesterday morning, I went to the largest Wal-Mart store in the world. It is not in Bentonville, AR. It is

not in California. It is not in Texas. It happens to be in Mexico City.

It is a huge store, and we were there yesterday at midday in Mexico City. And it was amazing to see the numbers of Mexican people who came up to us and basically said, please get us more American products. In fact, one person thought I was a representative from Wal-Mart who had come in from Bentonville, AR. And the message was very simply, can you get us some more American-made products here.

And it was fascinating to listen to that, because I didn't just listen to people who came up to me. I went up to shoppers there and asked the question as to whether or not they were interested in more U.S. goods, and that was their No. 1 priority. In fact, in the largest Wal-Mart, which happens to be in Mexico City, over 55 percent of the products sold there are made in the United States of America.

When I said it was a fascinating juxtaposition, when I arrived last night, I got home late and turned on television to see the news and, naturally, channel surfed as many of us do. I got to C-SPAN 2, where I saw this rally that was taking place in Tampa, FL. It was a rerun of something that took place earlier on in the day.

It was our friend, Mr. Perot, who was talking about the North American Free-Trade Agreement. As I listened to the things that were being said there, I was convinced that he was talking about a completely different country, a completely different arrangement, a completely different spot. It seems to me that these arguments, which clearly have instilled a great deal of fear in the American people, have not focused on the facts.

I am very pleased that tomorrow evening for 90 minutes on the Cable News Network, we will be hearing Vice President GORE and Mr. Perot debate the issue of the North American Free-Trade Agreement. I am convinced that as the American people and our colleagues here look at the facts versus the fear, which has been encouraged by Mr. Perot and organized labor and others, they will come down on the side of job creation, the expansion of export markets and, clearly, the choice that the United States of America must make to move in the direction of the rest of the world.

□ 1740

That is why I am very encouraged, and I am one of the people who, as we have looked at this, and have been talking to people in the media, I am optimistic about this vote. I happen to believe that a week from tomorrow we are going to see, at this very defining moment in the history of the United States of America and the world, passage of the North American Free-Trade Agreement.

As my friend, the gentleman from Ohio [Mr. BOEHNER] said from here in

the well earlier today, during the 1-minutes, NAFTA is only part of this debate. Clearly the debate is much larger than that. It is going to be a determination as to whether or not the United States of America will be part of the wave of the future, or whether we will choose to look toward the past. That is why I am convinced that responsible Members of Congress will follow the directive of Edmund Burke and in fact be Representatives of the people, but use their best judgment as they seek to make decisions that will affect the United States and the world.

I would like to take a few minutes to talk about our trip, other aspects of it. We went to the border. We were welcomed, having traveled in with a very able Representative from the Laredo area, the gentleman from Texas [Mr. BONILLA], and we were greeted by the mayor and others in Laredo, and had a very impressive tour.

We saw what I was very happy to witness, a very warm relationship that exists on both sides of the border, Mexico and the United States. In my State and in other areas we hear about this adversarial situation which exists on the border, but it is great to see a very warm relationship between what are referred to as dos Laredos, the two Laredos right on the border.

The mayor and those with the Border Trade Alliance did a spectacular job of talking us and showing us the maquiladora. We had the opportunity to go to the Packard Electric facility in Nuevo Laredo, which is a maquiladora.

We often see the photographs of one particular spot where people live in cardboard houses. It was nothing like that. This was one of the cleanest operations that I have seen. The living standards of the people who work in this maquiladora, contrary to the photographs that we have seen, are very, very positive. They have a standard of living, a minimum standard of living which is nothing like the squalor which we have so often been told about.

The people who work in this Packard Electric facility in Nuevo Laredo are actually hourly workers who work there on average for 2 years. Basically the majority of the workers are very young. They are under the age of 20. This is really a first job for many of them, which is comparable to the kind of job that young people get in this country working at a fast food restaurant, for example.

Like many of the teenagers in this country, the people who are working in these maquiladoras in simply the assembling of operations work there, trying to earn money so they can improve their lot in life, basically to gain an education, just like many of the young people in this country.

Like most maquiladoras, the Packard Electric facility, which is part of

General Motors, is actually an assembly facility, not a manufacturing facility. So often we hear of this flow of manufacturing jobs that has gone from the United States to Mexico. The Packard Electric facility in Nuevo Laredo is simply an assembly operation.

The very high wage technical and manufacturing jobs that are part of the manufacturing that goes into the facility, into the assembling, are based in Michigan and Ohio, and I would like to underscore that again. The manufacturing for this assembly plant, which is the maquiladora on the border of Nuevo Laredo, the manufacturing is done in Michigan and Ohio. They employ 2,000 American workers, but 87 percent of Packard Electric's products originate from right here in the United States.

One of the other things that struck us there is, we had a chance to meet with the Customs Service. We talked about one of the very serious problems, that being the flow of illegal drug trafficking.

Clearly the statement has been made to us over and over again, every shred of evidence indicates, contrary to what one might have heard from threats that have been offered or any other situation like that, NAFTA will most likely reduce the flow of illegal drug trafficking, because it allows our Customs agents and auditors to visit plants in Mexico, to look at their books, and clearly, it provides an opportunity for an even greater degree of scrutiny.

It seems to me as we look at that, that is going to be just one other aspect of the benefit that is going to be accrued. I think that as we look at other aspects of this potential agreement, the agreement that has been signed that we will be voting on next week, we have many other very important items that need to be addressed.

One of the things that came forward when we did get into Mexico City was that there are great opportunities for competition to exist if the NAFTA is defeated, and the competition that we will see for us will, as my friend, the gentleman from Pennsylvania, said earlier, come primarily from the Europeans, who will clearly seek an opportunity to embark on a free-trade agreement with Mexico, and the Japanese and others in the Pacific rim.

Mr. Speaker, one of the things that I think needs to be pointed out, and I would like to underscore it once again, is the fact that the tariff barrier which is eliminated between the United States and Mexico under the North American Free-Trade Agreement is in fact maintained for other countries in the world that are not part of the North American Free-Trade Agreement; specifically, Western Europe, Germany and the Pacific rim, Japan.

As we look at that, the tariff barrier has remained for them, and yet we in

the United States get an advantage. When we met with President Salinas and the very impressive members of his Cabinet, who have moved dramatically toward improved human rights, toward political pluralism, and toward a free market, the kinds of things that the United States of America has been encouraging for many years, we have found that the Japanese clearly would like to see the defeat of NAFTA.

In fact, President Salinas made it very clear that the Japanese have already made an attempt to be in contact with Mexico in hopes they would be able to embark on an agreement like the one that we are going to have a chance to pass here in the Congress a week from this Wednesday.

What happens under the North American Free-Trade Agreement? We have something called rule of origin requirements. We continue to hear about all these United States businesses that have continued to flow to Mexico, the fact that we have an opportunity for Japan and other countries to utilize Mexico as a springboard, so they can sell products into the United States, because we are the world's largest market.

The fact of the matter is, under the North American Free-Trade Agreement, that opportunity will not be as attractive for Japan or Western Europe as it is today. Why? Because we have rule of origin requirements.

Many people have said, "If we pass NAFTA, we will see the Japanese open up markets in Mexico the way they have opened up Honda plants and Toyota plants and other operations here in the United States, choose the cheap labor in Mexico and send the cars into the United States."

Anyone who has said that has not looked at the North American Free-Trade Agreement, for the manufacture of autos, the rule of origin requirement, basically domestic content requirement, states that 62.5 percent of that content must come from the North American continent: Canada, the United States of America, or Mexico. So they also will be faced with something that we will not have. That is the very high tariff barrier that exists today for us and the rest of the world, but will come down under the North American Free-Trade Agreement.

Mr. Speaker, I would like to take a moment to focus the attention of our colleagues on some charts which basically show, for autos and other sectors, what that tariff structure is today, and how it remains under the North American Free-Trade Agreement for the rest of the world but comes down for the United States of America.

I would like to first focus on the area of computers, which is a very large industry in my State of California, and something that is of great concern. Computers clearly are the wave of the future. Right now the average tariff on

computers, as we can see from this chart, is 10 percent. Actually it goes as high as 20 percent. That is the tariff on United States-manufactured computers going into Mexico.

The tariff that we charge on Mexican-manufactured computers coming into the United States is between 3.7 and 3.9 percent. Basically, as we can see, we have again what I call the Gibbons thesis, for the gentleman from Florida [Mr. GIBBONS], chairman of the Subcommittee on Trade of the Committee on Ways and Means, who has constantly referred to the fact that there is one-way free trade today: That is, access of the Mexican manufacturers to the American consumer market. Yet it is very difficult for us to gain access to the Mexican market.

□ 1750

So basically it is 10-percent to 20-percent tariff on computers, comes down it is totally eliminated under the North American Free-Trade Agreement, but it is maintained for Japan, for Germany and the rest of the world as they attempt to get into Mexico. So those who argue that NAFTA is going to somehow enhance their chances are way off base. This tariff stays up for those not in North American or Mexico. The same for computer chips and electronics, and so on and so on.

I am very happy that I have been joined by my friend from Holland, MI, who was a very important part of our delegation in Mexico. And he is a new Member of Congress who has had a great impact on this institution and is doing a great job, and I appreciate the fact that he was extraordinarily open-minded and very, very encouraged and impressed with the people of Mexico with whom we met.

I am happy to yield to my friend, the gentleman from Michigan [Mr. HOEKSTRA].

Mr. HOEKSTRA. Mr. Speaker, I thank the gentleman for yielding. What I would like to do for a few minutes is just to share some of my thoughts that I kind of kept a diary on our trip, if that would be all right.

Mr. DREIER. I am happy to hear the diary. I do not know if it will be subpoenaed, but we are happy to share it with you right here.

Mr. HOEKSTRA. I will shred it when I get back to my office.

I went down last Friday on the trip you organized to answer some of the questions that I had about the North American Free-Trade Agreement, recognizing that all along I have been learning in favor of supporting the agreement, believing that it would help create jobs in Michigan and in the United States. But for the people who are listening, here is a little bit of background, and here is what goes on when you are with a congressional delegation. HOEKSTRA has a little surprise when we got to Laredo, and we touched

down, and we walked down the steps, and we were met by a marching band. I was not sure that was what I expected on a factfinding trip, but I can tell you that it was a positive way and a positive thing to see so many young people beginning to get a feel for and beginning to get involved in the political process.

I will have to say as the rest of the trip went on it really was focused on factfinding. The people in the city of Laredo gave us an overview in terms of what increased trade has meant to their border town. In the last year they have invested over \$100 million in construction projects. They have created 16,500 new jobs. Their unemployment rate is down to 8.6 percent over a history of being in the double digits. So obviously this border area is booming because of an improving relationship with Mexico.

We then went to Nuevo Laredo and visited a maquiladora plant. I thought the most interesting thing about walking into the plant for the first time was that the office furniture that they used was from the company that I used to work for, Herman Miller. The chairs that we sat in were the Equi-chair. I spent 5 years working on the development of that chair, getting that chair into production for the U.S. market, and know the production capabilities, recognizing that most of those components were sourced in the United States.

Mr. DREIER. Do you mean to tell me there actually was something in Mexico that was manufactured in the United States by American workers?

Mr. HOEKSTRA. The parts were manufactured and sourced in the United States, shipped to Mexico, and I visited with people from that company on Saturday.

Mr. DREIER. They were made in Michigan?

Mr. HOEKSTRA. Yes, they were made in Michigan.

Mr. DREIER. I mean that is just so shocking, because based on the rhetoric I have heard from Michigan, we have seen over the past several years nothing but a flow of Michigan jobs to Mexico. And it is difficult having listened to those arguments to believe that there is something that was made in Michigan and sold in Mexico.

Mr. HOEKSTRA. Yes. I talked about the company I worked for, Herman Miller, and the furniture business. Two other significant players in the furniture business, Steel Case and Hayworth have also both made significant increased exports from west Michigan into Mexico.

Mexico is an evolving market. One of the things I was going to talk about later, as we drove through Mexico City, one of the things that we used to always do as we traveled around the United States, we could always tell what city was going to be a boom mar-

ket in our industry 2 or 3 years in the future, because we would take a look at the number of construction cranes between the airport and downtown. And driving from the airport in Mexico City and driving downtown, and then on Saturday driving 25 miles from the center of Mexico City, which is where I think we were, driving 25 miles down a six-lane expressway, and it is hard to believe for an economy that cannot afford to buy cars, and if we were not being, you know, given a snow job, as we were in Mexico, I do not know where they found the cars to fill up 25 miles of expressway with bumper-to-bumper traffic on a Saturday afternoon.

Mr. DREIER. Let us underscore that point once again. We continually hear this argument that the people of Mexico could never afford to buy any United States-manufactured products. We hear that so often about these poor Mexicans, and I am always struck with that. I mean, if you look at the city, is there poverty in Mexico? Of course there is poverty in Mexico. Is there poverty in the United States of America? Of course there is poverty in the United States of America. But if you look at the argument we have heard for years, that there are 36 ruling families, and only a few very wealthy people, and the middle class in Mexico is virtually nonexistent, the fact of the matter is there are 20 million people, as we found from our trip, who are middle-income wage earners and purchase these things.

I mean, we went looking all over. We even did a hardship duty by going to the Hard Rock Cafe and found hundreds of people who obviously were able to afford all kinds of things. And these people have regularly said, "We want U.S.-made products and goods."

So my friend is absolutely right. When you look at the standard of living in Mexico City and in other parts of the country, clearly it is much different than the picture that has been portrayed by many of our colleagues here, and some of those who are trying to instill fear in the American people.

Mr. HOEKSTRA. Let me make it clear that you were at the Hard Rock Cafe. I was back at the hotel.

But in terms of Mexico City, and of construction cranes, they have a number of modern office buildings, and they are going to have many more. It is an emerging economy.

The other interesting thing, you talked about consumption. We may talk about their priorities, but we happened to be staying in the same hotel with Michael Jackson. Michael is down there for approximately 2 to 3 weeks. He is doing six concerts. He sold out 6 concerts, 100,000 people per concert. The cheapest tickets was \$30. So there is some money available, and there is an emergent economy in Mexico.

But if we go back to what we did in Nuevo Laredo, we went through the

Packard Electric plant, and again Herman Miller furniture, much of it sourced in west Michigan. We then took a look at their history. They moved down into Mexico in the late 1970's, way before anybody ever started thinking about NAFTA. They moved down there because they were in danger of losing all of their jobs, all of their employees' jobs because their competitors had sourced low-cost labor in Asia or in other parts of Mexico.

Today Packard electric is maintaining 12,000 jobs in the United States and growing. They do have 26,000 jobs in Mexico, but they would not have had any jobs if they had not taken the initiative to blend low-cost assembly with high-technology work in the United States.

As we also found out on this trip, I got a letter today from one of my constituents who said why do we not, if we really want free and open trade, why do we not form free trade relations with Japan and Europe. I think that would be the most unfair thing to do to the American worker today.

Japan, in terms of assembling and manufacturing their products, has what we would call a 35 percent low-cost content. Japan has more maquiladores type plants in Vietnam, which they have just developed over the last 3 to 5 years, than what we have in Mexico. Japan has brought to an art form the blending of high-technology skilled labor in their country along with lower cost, lower skilled jobs throughout Asia. And that is how Japan has gotten so strong in terms of competing on an international basis.

Us going head to head against that type of blended relationship that Japan has and that Europe is developing would put us at a distinct disadvantage, and would be absolutely the most unfair thing to do to the American worker today.

We toured the factory floor, well lit, clean, low automation, very labor-intensive work. What the people in this plant assembled were the wiring harnesses for our cars, laying all of the wires out on about a 48 sheet of plywood, clipping on the connectors at the end, high labor-intensive, low automation, perfect blending. These harnesses now go into U.S. cars.

Once the tariffs come down between Mexico and the United States, all over it will reduce the cost of our cars that are manufactured in North America. And I think it will make us more competitive against our Japanese and European competition.

□ 1800

It was interesting as we left the Packard Electric plant—and I loved the convoy that we were in, 1 bus, 8 or 10 cars including police cars, pickup trucks, suburbans, rat patrol jeeps with police insignias on them. But then as we were driving through some of the

low-cost housing—and Mexico does have poor areas—but it surprised me the number of satellite dishes that we saw. For an economy in a city that has such poverty, to still see satellite dishes throughout; and you see the Mercedes truck dealership. One of the things we saw throughout the trip, all of the companies on an international basis that are moving in there: Mercedes, Lufthansa, Philips, just one company after another establishing a presence in this country as the economy starts to emerge.

We see lots of VW Beetles; it is still the most popular car in Mexico and still manufactured there.

Now the wastewater treatment plant—and the environment is an issue—currently the sewage from Nuevo Laredo goes in a raw state directly into the Rio Grande. This is a huge new sewage treatment plant. The environment will be improving. But when you take a look at what is going on in terms of how they construct it, they are constructing it with shovels, pickaxes, human labor. They look like ants scurrying all over the site.

It looked to me—I asked myself the question: Is this one of the areas where we can really have an impact? And I mean with the infrastructure construction, by U.S. construction companies.

We go back to the border and we meet with U.S. officials. I find that on the drug issue that now is being brought up by Mr. Perot: If 35 million people cross this section of the border annually, the problem with drugs I do not believe is an access problem. It is a demand problem.

Drugs are crossing the border because there is a demand in our cities and among our young people for these drugs. We have a 2,000-mile border. I cannot believe that with NAFTA all of a sudden we are going to find more drugs flowing into this country because they are going to be able to sneak it in through trucks. Now, I believe with as many drugs coming into this country today as what there is demand for, that is really a red herring. In fact under the North American Free-Trade Agreement it will be easier for our customs officials to have access to Mexican operations that they do not have access to today, for inspection.

So that enhances our chances to police it.

Mr. DREIER. Mr. Speaker, my friend is right on target when he says that the problem is not the supply, it is the demand. The demand here is obviously such that it flows across the border and we are trying our darndest to decrease that demand. If it is successful, there will be no incentive for this flow of drugs to continue across the border.

Mr. Speaker, I further yield to the gentleman.

Mr. HOEKSTRA. As we go on we go to Mexico City and we meet with Mexican officials on Saturday morning. I

was very impressed with the quality of their presentation. But I think perhaps some of the things that we ought to know, or the American people ought to know is that they come up with a great formula for success for their economy and for their Federal Government. They have cut the capital gains tax to zero, they do not tax dividends, they have cut corporate taxes and individual tax rates. And it is possible—they not only have balanced their budget but for the last 2 years I believe they have run a surplus.

Mr. DREIER. And they have taken the entities that were heretofore owned by the government and sold them off and taken their national debt from \$62 billion down to \$20 billion.

So what has happened is we have seen what many people like to claim was a failure in the United States, that being the concept of supply-side economics, cutting taxes, stimulating economic growth, increasing revenue to the Federal Treasury works successfully in Mexico.

Mr. HOEKSTRA. I thought one of the questions that I wanted to ask President Salinas which I have not heard much of the debate on or ever been part of the debate here in the United States. And that is what is the threat to Mexico if NAFTA passes.

It seems like everybody believes that this is only a win-win situation for Mexico. But there are certain threats that may happen to Mexico if they do not step to the line once NAFTA gets approved. They must perform.

They have 6 million farmers today to feed 85 million people. We have 2 million farmers to feed 260 million. Today their support price for corn is twice the world price. The agricultural community, the industry in Mexico is going to change dramatically as a result of NAFTA. There are going to be many people who are going to be displaced from their farms because of what is going to happen as we get more efficient United States agricultural products providing access into Mexico. It is not all a free ride for Mexico.

Their inefficient businesses are going to have to improve. They must be competitive. They have to be more labor-conscious, they have to be more environmentally conscious, they have to continue their budget discipline, something that I hope we learn from them.

They are moving; in the last 5 years they have moved from a protectionist command society to a free-market economy.

Five years ago the Government was running that country and running the economy and running all kinds of their industry. We do not even talk about the history that is such a built-in advantage to our country, our free-enterprise system. We know how to compete, we know how to be productive, we know how to bring labor and management together and to compete on a worldwide basis.

These are many skills that are just starting to develop in the Mexican market.

Mr. DREIER. And they have started developing it and it has brought some incredible things about. Throughout history they have had continual inflation, as high as triple-digit inflation in Mexico. They now have an inflation rate that this year is expected to be about 7.5 percent. They cut taxes, as my friend was referring to earlier, and we have seen an actual increase over the past 5 years in revenues to the treasury by 32 percent as capital gains, corporate taxes on dividends were cut or eliminated.

Mr. HOEKSTRA. I think President Salinas talked about, this, that perhaps the biggest reform they have made in addition to some of these others is that they have had to change their mental attitude. It has been a mental reform; they change in their perspective, meaning they have to develop closer relations with the United States.

Remember, the United States took one-half of their territory. Mexico once invaded the United States. So he has had to change their mentality from being a protectionist society to one that is reaching out, not reaching out for aid, but for trade so that it can move forward.

I found it very interesting that as he is talking about a feeling for change and transformation, he made a call for hope, not fear; even though Mexico has gone through more change and pain during the last 5 years than what the United States has.

So he, in that country, still appears to be willing to move forward; he sees change, transformation as the opening of new doors and new opportunities while in many cases we look at change not in a positive perspective but as a threat to the status quo. I think it says something about where the United States is and perhaps something about where the rest of the world is today.

I asked myself the question, I jotted it down: Why is the United States gripped with fear? Do we have some more fundamental fears in this country today that NAFTA has come to symbolize? The problem is not NAFTA, but we have some fears in our country.

You know, NAFTA, I think, says, or it becomes a statement of the type of relationship that we may want to have together. We must challenge both countries to get better.

President Salinas believes that NAFTA may be a once-in-a-lifetime opportunity. As I talked with Mexican citizens later on in the day they are very aware of the North American Free-Trade Agreement, the discussion, the debate, the controversy in the United States. I do not believe it is as simple as saying, "Well, let's just vote this NAFTA down. If it passes we will go back and renegotiate another one."

The door may close or the door may open to Mexico to form some relationships either with Europe or Japan.

Mr. DREIER. My friend is absolutely right on that. I think from having traveled around the country, an interesting irony: It was announced just before we went down there that there would be this debate taking place between Ross Perot. And of the 86 million Mexicans I did sort of a sampling survey and found that 29.6 million of those Mexicans would like to debate Ross Perot. As a matter of fact everywhere I went there were people who said, "I want to debate Ross Perot. He is wrong on this. We want to create jobs and opportunities and we want more of your products."

So the fact of the matter is I happen to believe these people who are hungry for U.S.-manufactured goods and services know that this is the right thing to do.

Mr. HOEKSTRA. Mr. Speaker, if the gentleman will continue to yield, as we went on during the day after the meeting with President Salinas, I went off with a colleague of mine that I used to work with who was born and raised in Mexico City, worked in the States for 12 years and has now relocated back to Mexico City.

He took me around to parts of Mexico City that perhaps the Embassy would never have taken me to. We went 25 miles south, you go 25 miles in Mexico City and you are still in Mexico City, but he took me to his home where he grew up and explained to me the differences in the community, taking me through some of the back streets, going around through the alleys and all of a sudden you are coming up on a small little store. There are lots of little shops in Mexico City, but there was a video store, a rental store, which tells me they not only have VCR's, they also have TV's.

Once again it moves aside the assumption or the belief that the Mexican people cannot afford or will not buy United States consumer goods.

Like I said, six lanes of traffic, bumper to bumper for 25 miles, lots of construction cranes, the old indicator of future business. There is going to be a lot of future business in Mexico City. There are lots of modern office buildings. This is not your typical poor country.

Mr. DREIER. It is very interesting that the gentleman talks about this issue of so many U.S. goods, wanting access to them, TV's and VCR's and all, as we went through that Wal-Mart store yesterday afternoon, and I know I am jumping ahead, but I was talking about this before my friend joined us here, one of the things I was struck with, 55 percent of the goods come from the United States. I did see many items that were from Taiwan, China, and Japan in the Wal-Mart store. The president of the partnership there said to

me, "Well, of course, you know that under NAFTA there will be a much greater opportunity for United States goods to be here than this exercise equipment from Taiwan, this basket here from China."

Why? Because the tariff barriers which exist today for products going from the United States to Mexico may go down to zero under the North American Free-Trade Agreement, will continue to exist for Taiwan, Germany, Japan, China, and every other country throughout the world that is not part of the North American Free-Trade Agreement.

So what it does, it greatly enhances the opportunity for United States-manufactured items to go to Mexico by way of the zero tariffs under the North American Free-Trade Agreement.

Mr. Speaker, I am happy to yield further to my friend.

Mr. HOEKSTRA. On Sunday, I had the opportunity not to spend the time with the rest of the delegation, but to visit an agricultural center in Mexico, 150 miles north of Mexico City. I had the opportunity to go through much of the countryside. There are lots of areas that we would describe as poverty, probably most of it.

Highway transportation was good. Then we get into some of the side roads. The roads deteriorate. Then we come upon a pretty nice city again. Another emerging growth area. You start seeing the car dealerships again. You start seeing the consumer goods stores. You see that in this area of agribusiness where they do have some special resources that they can and will compete. There is no doubt about that. It is a beautiful countryside with lots of small farms, but in these agribusinesses they have developed an organized agribusiness, some are state of the art.

I went through one of their processing plants, because many of my growers of asparagus are concerned about what may happen to their asparagus market; but they have talked about and shared their experience with garlic in terms of saying that with that product, their growing season complemented our growing season. Their growing season for asparagus is different than our asparagus season in Michigan. They complemented the garlic growing season as garlic became available on a year-round basis. All of a sudden consumption increased.

Will the same thing happen with asparagus? I am not sure. I hope it does.

But they also mentioned that it is not always as clear to say that their costs, their labor costs are the determining factor. Their costs for energy are higher than ours. Their costs for pesticides are higher than ours. Pesticides, yes, they do use pesticides, but pretty much in the same way that we do, because the produce is checked at the border. They are checked at the U.S. border.

They also export to Europe. They export to Japan; so in some cases they have to use standards that are as tight, if not tighter than ours, because you cannot wash the pesticide off. You can test the tissue of your vegetables and determine what pesticides have been used during the growing of that particular vegetable.

So they are cautious. I am sure there may be some abuses, but I do not believe they are as widespread as what some would lead us to believe.

Most of their farms have to be irrigated. So it is not as straightforward as saying they have got these advantages of low-cost labor, they just use pesticides indiscriminately, therefore they are going to cream us in what may be called specialty crops.

I think the issue is much more complex than that.

I went through one of their processing plants, a plant that looks much like the kind of processing plants that we have in west Michigan, but it was clean. It was safe, and probably had much more manual labor than we would have had in one of our plants.

Mr. DREIER. That is not what we hear about working standards in Mexico as one listen to the arguments that have been coming from the opponents of the North American Free-Trade Agreement.

Mr. HOEKSTRA. Well, yes. The surprising thing is, as the gentleman knows, we decided to leave early on Sunday morning, so I was not able to meet with the person who was setting up my schedule in this town. We ended up meeting with his sons. They gave us some options of what we could see. We told them what we wanted to go see, and we did that from 8 o'clock in the morning until 10 o'clock in the morning.

We met with their father who had set up the agenda that was supposed to start at 10 o'clock and run until noon, which was much different; so we had really the opportunity to set the agenda. It was an unplanned agenda and it was not something that they had planned the week before and said, "Hey, we've got some American Congressmen. Let's take them to these certain facilities."

We threw them kind of a curve ball unintentionally. I think we saw what we wanted to see.

As a final note on the trip that some of the American taxpayers may say this is why we have a problem, but it may also give them an idea in terms of what the infrastructure is like in Mexico.

To take me to this town, 150 miles away from Mexico City in a rural area, to take me and two people from the Embassy, we needed to take two cars. We needed to take two cars because it is not a fully developed country. As such it has certain advantages and disadvantages, but since there are

no gas stations or they are few and far between, they wanted to make sure that they got me to the location where we wanted to go and they got me back to Mexico City to catch the plane to get me back to Washington, that they felt the only sure way to do that was to make sure that there were two cars, one taking us and one as a back-up.

Now, if that is how some businesses have to operate in Mexico, you know that there are added costs, and I am sure most businesses do not go driving around with two cars, but I think when you start taking a look at perhaps the reliability of their phone service, their electricity and other types of things, there are incremental costs in their businesses that we do not have in the States. Their infrastructure is not where ours is.

Mr. DREIER. That gets right to this point of low-cost labor which we continually hear over and over again. All these United States businesses are flowing into Mexico to take advantage of low-cost labor, which again is a fallacious argument, because the United States businesses that are located in Mexico, owned by United States companies, 70 percent of the business that they do is right there in Mexico to gain access to the Mexican consumer market. They have to get into that country and open their operations so that they can be there. They are not there using Mexico's labor to export back to the United States in an overwhelming number of cases.

Why? The reason for that is that the raw materials, the infrastructure, those things to which my friend has referred, are more costly in that country than they are in the United States.

Under the NAFTA, many businesses that have to move to Mexico because it is the only way they could gain access to the 86 to 88 million consumers there is that they will be able to stay in the United States because of the zero tariff that we will have under the North American Free-Trade Agreement.

Mr. HOEKSTRA. As I came in and the gentleman was talking, the gentleman was talking about the automobile industry. The other statistics that have been published in the United States story run a while back in the Washington Post, producing a car in Mexico is actually more expensive than producing that same car in the United States. If NAFTA passes, and as the trade tariffs come down for United States automobiles in Mexico, I think that automobile company is going to have to think long and hard about building new capacity in Mexico with the costs, even if they were the same, but they may be higher, when they already have excess capacity in the United States, the smartest thing for them to do is to add more workers, perhaps add another shift in the United States to take advantage of the capacity that is already in place before they ever opened one more plant in Mexico.

□ 1820

The most efficient thing for business is to utilize capacity, not build new capacity.

Mr. DREIER. Mr. Speaker, my friend is absolutely right. In fact, the cost is about \$400 per unit higher to produce an automobile in Mexico than it is in the United States because of all those factors.

This clearly is a bipartisan debate. There is a strong bipartisan coalition in support of the North American Free-Trade Agreement, and I am very pleased at this point that we have been joined by my very good friend from Selah, WA, a classmate of the gentleman from Holland, Mr. INSLEE, and at this point I would be happy to yield to my friend.

Mr. INSLEE. Mr. Speaker, I say to the gentleman, "Thank you. I appreciate that. I am glad to be able to join you."

I just have a couple of things to add that I sort of stumbled across in the last weekend. I thought the gentleman might find it interesting.

As the gentleman knows, many of the people that we have talked to in our debates, in our discussions in our townhalls, expressed questions about NAFTA and the ability to which we will have to really export under NAFTA to Mexico, and I just thought I would share with the gentleman and some others some of the statistics I picked up this weekend about that.

I think that the perception that we have about Mexico is rooted in the past, and let me just show my colleagues some numbers, if I can, about, in fact, what people have, and buy and purchase.

I was talking to someone the other day, and I said, "You know, when we knock down that 22 percent tariff in Mexico so we can sell cars to Mexico," my friend said, "Well, they don't have cars in Mexico," and I said, "Well, they do have cars in Mexico," and their particular version of reality is wrong, and I am just looking at this survey. It was in the New York Times yesterday.

Out of 5,000 people, and it was a survey in 42 U.S. cities, 53 percent of the households had a car, 83 percent of them had color television, 53 percent had phones, 63 percent had VCR's, 24 percent had compact disk players.

The problem we have faced in NAFTA is that our vision of Mexico is greatly outdated. In fact, we have got an economy there to sell to. They buy cars, they buy VCR's, and it is about time we started selling to them. It is a fact that, I think, ought not to be lost, and why it is important for us to sell it to them—I thought maybe I could just share with my colleagues the facts I received from the Tutt Hill Corp. in Tacoma, WA, and I just want to paraphrase it.

It is a fax for me. It describes a joint venture of this cable craft vision. They

have a joint venture in Mexico since 1976, and they entered into an agreement then, and they had some operations, not because Mexican labor rates are low. It was because it was the only way to get their goods into market.

And I just want to read to my colleagues one paragraph from Keith Clino. I have never met Mr. Clino about his business. I got this unsolicited. This gentleman is not even from my district. He says:

If you pass NAFTA and eliminate the restrictions at the border, we will sell our joint venture and ship completed products from our South Carolina facility. The results will be more consistent quality at a lower price for our Mexican customers plus more jobs in the U.S.A. Vote yes for NAFTA.

I think this was the best kind of argument I have seen yet for NAFTA, when someone who is not even from my district takes the time to tell me, "Yes, INSLEE, you pass NAFTA, and I'm going to create some jobs in North Carolina." I realize they are not in my district, but they still count because they are in the United States of America, and I think we have got to start paying attention to American entrepreneurs and American jobs that come along.

Mr. DREIER. My friend is absolutely right, and I thank him for his helpful contribution.

An excellent 1-minute speech was delivered when the House convened today by my good friend from Phoenix in continuing the bipartisan spirit of this debate, trying to create jobs and opportunities and break down barriers. My friend from Phoenix, Mr. COPPERSMITH, I am happy to yield.

Mr. COPPERSMITH. Mr. Speaker, I thank the gentleman from California [Mr. DREIER] for yielding.

I walked in with exactly the same chart which I will circulate, Mr. Speaker, to our colleagues pointing out this is a survey of over 5,400 people.

Mr. DREIER. Why do we not have that chart entered into the RECORD so that all of our colleagues who may not be following this debate at this moment may have a chance to do that?

Mr. COPPERSMITH. I think the point for our colleagues to remember is that is a survey of over 5,400 households. Most of us make decisions on whether to run for reelection on far fewer over far more complex issues, but there is a Mexican middle class. It is rapidly growing. It is, as the gentleman has said so many times, larger than the entire population of Canada. This is a rapidly growing market, and it is one where we have a natural advantage that we should take advantage of.

The issue I wanted to discuss, I discussed during the 1-minute, I think it bears some repeating this evening, comes from an article by David Hale who is the chief economic analyst from Kemper, and he points out that in 1992, the last full year we have trade statistics available, the United States ran a

\$5 billion surplus with Mexico which our opponents are talking was a low wage country. We still sold \$5 billion more in goods and service to the Mexicans than we purchased from them.

Compare that to East Asia where the United States ran a \$75 billion trade deficit with the countries of East Asia. Why is that? It is because we have American companies selling their goods and services, have 70 percent of the Mexican market, but we have a bare total in East Asia.

Mexico represents a rapidly growing market, and I just ask my colleagues to imagine what would have happened if we had had a trade policy, an economic policy, that would have encouraged those kinds of jobs instead of going to East Asia and developing that huge trade surplus to stay in North America to create that market where we have that natural advantage.

In East Asia incomes have gone up twentyfold over the past 15 to 20 years. Allowing that kind of growth in Mexico will spur the kind of growth we are seeing in the United States, and it makes only sense for us to try and increase our advantage to the market where we have a natural advantage anyway.

Mr. DREIER. If I can follow on that point, it is a very good one that my friend makes, and, going further, as we look at the Pacific rim, 35 percent of the products that are sold by Japan are done so with partnership arrangements that are made, partnership arrangements that are made with other countries in the Pacific rim, whereas today only 5 percent of the products that are exported from the United States are done so with any kind of partnership arrangement.

So, that is a fascinating factor. For example, if we look in Japan at an item that is manufactured there, it most likely would include, as one pointed out to us, part of that microphone that was made in Malaysia or another part of the Pacific rim, and so these partnerships are growing in the Pacific rim. As I say, 35 percent of the products exported from Japan are done so under a partnership arrangement today. Only 5 percent of the U.S. goods that are exported are done so under a partnership arrangement.

And to further confirm the point that my friend made, Mr. Speaker, I happen to just have another chart there which my very able staff has put together. I assume with the help of some outside organizations. But this chart points to the per capita spending on goods made in the United States of America, and, if we look at this, we can see on this chart, Mr. Speaker, that the per capita spending is \$385 in Japan, \$296 in Europe, and \$450 spend on a per capita basis by those very poor Mexicans who cannot afford to buy anything in the United States. When we look at Japan, the earnings are 10 times those of the Mexicans, and yet \$450 is the per capita

spending for Japan, \$385 for Mexico, \$385 for Japan.

So, it is very clear that we can put together partnership arrangements, as the Japanese have successfully done with 35 percent of their exports. We can do the same with our exports moving from 5 percent up to an even broader level if we will reduce barriers to enhance opportunity, and I would like to further yield to my friend from Holland, Mr. HOEKSTRA.

Mr. HOEKSTRA. There is also much debate and discussion about that \$450 in terms of saying it is not meaningful or it is capital goods. It is also interesting to note that, as we met with the Mexican Government leaders, they pointed out, and I think that viewers need to recognize, that the Mexican economy was a centralized planning organization. The Government ran the economy as they went to privatization and led that drive. In 1988, much of the capital structure of that country was deemed to be worthless because to a much lesser extent than what we have seen in the Soviet Union, in Mexico they also found out that many of the things that government thought was important and that government should be involved in, that they should be investing in once they went to a free market economy, they found out that is not what the consumers wanted.

□ 1330

The reason they are buying so much capital equipment is because they are starting in many ways from scratch.

Mr. DREIER. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. COPPERSMITH] be allowed to manage the remaining 6 minutes of my time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. COPPERSMITH. Mr. Speaker, the chart that was earlier referred to by my colleague from California, it is important to remember that Mexico is already one of America's biggest and best trading partners. Mexico imports \$40 billion in American products a year. There are our third largest export market and we have a \$5 billion trade surplus, as I have already mentioned. It is the 13th largest economy in the world, and it is growing quickly, with a middle class estimated at 20 million people that like American products.

It is also important to remember that there are an estimated 700,000 American jobs that rely on those \$40 billion in exports. There are jobs today that depend on trade with Mexico. You can only look at the past to see how Americans have benefited, how American jobs have been created, from increased trade. It is a rapidly growing market. It is one in which we have a natural advantage, and it is an opportunity of which we should take advantage to pass NAFTA.

Mr. DICKEY. Mr. Speaker, I wanted to see if you all could tell me what you hear out there when you talk to the opponents of the NAFTA agreement, what is said in response to the fact that we can get out with 6 months' notice, six months' termination? Have you all had any discussions about that?

Mr. COPPERSMITH. If I could jump in first, I think a lot of the discussion we are hearing is almost biblical in nature, that NAFTA has become the economic scapegoat upon which many people are trying to visit a number of supposed economic sins, and if, by attributing to this treaty everything that has disturbed people about the progress of our economy, if we could banish it into the wilderness, that somehow we would be redeemed.

It does not work that way and will not work that way, and we would only be turning our back on a leadership role in the market, in our own economy, and a leadership role in our own hemisphere.

Mr. INSLEE. I agree with that comment. If I can respond, what I hear, I will go one step further if I can. The answer to that, I have heard, is no answer. The answer I hear reminds me of Orson Welles.

If you will recall Orson Welles on Halloween, I think back in 1939, he went on the radio. He was a very charismatic figure, and his troop, the Mercury Theater, he convinced millions of Americans that the Martians were landing. Not to take our jobs, but to take our towns over.

Mr. COPPERSMITH. I think it was Downer's Grove, NJ.

Mr. INSLEE. You have got that right, in New Jersey. And that is what we have heard, and that is what I suspect we may hear some more of as we go along. It is simply fear, the fear of the unknown. Let me give you an example. I was talking to a woman today who right now I know her employer in Wenatchee, WA, is going to hire more people to increase exports of apples to Mexico the day NAFTA passes, if we knock down those Mexican trade barriers.

Yet she was concerned because she heard a rumor from the fearmongers that they are going to ship her job to Mexico, when right now she does not even have a job because we cannot get enough apples in. We are getting some in. We are going to get more.

So I think that the answer we get is the Orson Welles' response. And the point you made is the best way to believe a treaty is good is when the other side says it is bad. And I heard you say this the other day, that if they will let you out in 6 months' notice, they have got pretty good confidence it is going to work, as you and I do.

Mr. HOEKSTRA. I would say in response to your question that when we are in a rational argument, in a rational discussion, which we have not always had in this debate, that when you

explain to them that the agreement allows for any time in the future with 6 months' notice, to get out of the agreement, that what that will do is it will force all three parties to ensure that this is a win-win-win agreement, because if it becomes a lose for any one of the three, they will pull out. And that is not what any of us want. We want a strong North American manufacturing alliance that is win-win-win, and a 6-month escape clause provides us with that option.

Mr. DICKEY. The thing that I think is so significant is that a 6-month escape clause is really looking at it from a negative standpoint, that we are going to get out. But it eliminates the sovereignty issue, this business about well, we are giving up our sovereignty. How in the world can you give up your sovereignty if you can get out in 6 months or the other guy can get out in 6 months?

It takes away arguments like well, we cannot renegotiate. Because if you get out in 6 months, you can always renegotiate. Always. If you have some problems you can renegotiate. And that is going to be a threat at the table at any time.

I say we do not have a chance of exploiting Mexico. We do not have a chance of exploiting Canada. Because we have the 6-month clause that what it will bring to us.

Mr. COPPERSMITH. Mr. Speaker, I thank the various gentlemen for participating in this special order.

HEALTH CARE IN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. KINGSTON] is recognized for 60 minutes.

Mr. KINGSTON. Mr. Speaker, I wanted to talk tonight about health care, and specifically I wanted to talk about the Clinton proposal, and then talk a little bit about the Michel alternative. The reason why I want to do this is because there are a lot of health care plans that are out there right now. I am glad that there are a lot of plans out there. There are plans offered in the Senate. There are plans offered in the House, by Republicans and by Democrats, and certainly by the administration.

But, let us face it, the President is a 500-pound gorilla. Therefore, his health care plan is center stage, and that is the plan I am going to talk to, address tonight.

I want to say up front though that I am not in favor of his plan, and I want to talk to you about that and explain why. In doing so, I will explain the goals and the mechanics of his plan and what I see are the good parts and the bad parts.

First of all, let me say this: That the plan has three basic goals. I know that they actually say six goals, but there

are three basic goals: security, savings, and simplicity.

Security, universal coverage. Everyone in America will have health care, despite your income, employment, age, medical status. Whatever, you will have health care.

□ 1840

That health care will be portable. If you quit one employer and go to another, no problems satisfying a pre-existing condition portion of a policy. You can take it with you. You will have a guaranteed benefit plan without cancellation. Every American will have an insurance card. With this card, you can get health care coverage anywhere you want to go. And it cannot be cancelled.

I think that has some interesting ramifications aside from health care, because this plan will also register you as a resident of America, no matter where you are. And so I would think that this card could also be used for criminal investigation and background checks. I only say that in passing, because I think there is something there that bears investigation.

This health care bill is a 1,600-page bill, and we need to know what is in all the parts of it. Now, aside from the goal of security, the plan also has savings. The idea is that each individual in America will pay about 1,800 for health care, and families will pay about \$4,200. The idea behind the savings is that you will have more people, in spreading the risk, more people participating in the program because we will not just have 215 million insured people, we will have an additional 37 million.

Now, the President's plan does not address the fact of what happens if all those 37 million cannot pay, but this is part of the idea of savings.

The third goal of his plan is simplicity, one-stop shopping. You will get your health care through a health care alliance. Now, there is simplicity for the individual, maybe for the shopper, but there are a little bit more problems for the bureaucracy. Because according to one study, the plan will actually create 59 new Federal programs, expand 20 others, and begin 79 new Federal mandates and changes in our tax laws. That is not exactly simple. It reminds me of the saying, "I am from the Government; I am here to help."

I do not know that that will help or not. But remember, we are looking at a 1,600-page bill. These are the goals of the President's plan, the mechanics. How does it work?

Step No. 1, creating a national health care board with seven full-time directors. Now, Health Secretary Shalala said that these directors would actually have minor responsibilities. Later she went back and said, "Well, I meant it would be minor, the number of people who actually serve on the board."

But included in their duties, no matter what you call them, is that they would outlaw certain insurance practices and change certain policy rules and preempt a number of State laws that affect insurance. Insurance has been regulated by the McCarran-Ferguson Act, which says, as long as States regulate insurance, the Federal Government would not get into the roll. Well, this bill, I would think, in effect, repeals McCarran-Ferguson, particularly as respects health care.

The board would also establish community rates. Remember, we talked about this health care card. One thing about it, you and I, everyone in America will have it, but what is interesting to note is if you are a 23-year-old marathon runner or a 55-year-old person who does not ever exercise, you may smoke a little bit too much, you may drink a little bit too much, you may eat a lot of fried foods and never exercise, your premium is going to be the same as the 23-year-old marathon runner.

I do not like that idea. I think that you should have personal responsibility and that people who take care of themselves should pay a lower premium than those that do not. As one friend but it, in the automobile business, it would be similar to charging somebody who has absolutely no speeding tickets and somebody who has several DUI's and five speeding tickets the same premium. Where is the personal motivation.

Another thing the national health care board will do is define the benefit package, decide what is covered in the policy and what is not. And then, and maybe most importantly, they will decide what protocols and what procedures are appropriate for health care providers. As I read it, there is not a provision that national health care board members or the alliances under them have to be medically trained, but they will be telling doctors what procedures are and are not appropriate. That is step No. 1.

Step No. 2, by January 1, 1997, each State will have to set up a series of health care alliances. The health care alliances will act like a broker. They will tell customers which network has what sort of plan, what their service record has been. They will also have a report card where they publish the performance of the different networks. They monitor the claims and collect all kinds of data.

But the alliance is a Government-created monopoly. You will have to buy your health care through an alliance. That means if you are happy with your current coverage, if you are one of the majority of Americans that surveys show that you like the plan you are under right now, you will have to surrender that. You will have to get it through an alliance, that is the second step.

The third step, and actually, it goes at the same time as the setting up of the alliance, that would be requiring or pushing and encouraging health care providers to join a network. That would be your doctors, your hospitals, your nurses, your physical therapists, all your health care delivery folks will get together and decide how much they would charge for delivering your health care from A to Z.

The alliance would offer you three different types of programs: No. 1, the standard; No. 2, an HMO or PPO, health maintenance organization or preferred provider organization type coverage; and then No. 3, fee for service.

Fee for service is basically what we are doing right now. It is the type coverage you have right now where you pay for service a fee and then the doctor charges the insurance company for it. The only problem is, under this plan, nobody will be going under a fee-for-service program, because the economies of scale will all be under the standard plan.

Now, what coverage is provided under the standard plan? Do not think standard means economy. I would call it deluxe, where I come from, but up here in Washington, they call the following standard coverages: Well baby care, hospice, no limit outpatient care, catastrophic care, home health care, long-term care, rehabilitation services, eye glasses for children, substance abuse, preventive care, abortion and massage therapy. That is the standard plan, and that is what is supposed to save us money. Hardly a basic policy by anybody's definition.

Now that I have described that, let me go into what the cost is. As we all know, the administration has been rather vague on how this plan will be financed and what sort of taxes will be raised as a result of it. The one thing that the President stood up here a few feet behind me and said is there would be no broad-based new taxes. Well, broad-based taxes in many respects are the fairest kind to have, and it is the kind that would ask for the smallest amount of contribution.

Instead, the President said we are going to raise taxes on cigarettes. Well, for you smokers out there, you are going to need to triple and quadruple your smoking consumption, because at current consumption we will only pay for about 5 percent of the care. Let us not fool ourselves. We can beat up on tobacco and cigarette smokers all we want. It is not going to do a thing. It is not going to carry the burden. It will not finance this massive new bureaucracy and plan.

The President also talked about a 12-percent reduction in Medicaid and Medicare costs. Now, they did not quite define that. We are not sure exactly what they mean by that.

Another thing that they talked about was controlling the premiums paid to

insurance companies by paying less for claims.

According to Ira Magaziner, as quoted in the New York Times, "This will cut our waste and reduce overpayments to doctors."

This is extremely important. I want to digress a little bit on this point for that reason.

I have a woman that I met in my district in Savannah, GA. She is a German citizen. Her name is Ann Schweistrits. Unfortunately, I have a difficult time pronouncing regular English, with my accent, so I cannot venture into German.

Her father was 81 years old and had a heart attack in Germany. He went to get health care. He was still living. He needed a bypass. He needed some medical procedures.

Unfortunately, because he was not a wage earner anymore, he was put in the back of the line. He went along back and forth with the socialist health care system with the nationalized medicine in Germany, trying to get in the front of the line so he could get treatment. He did not. Five months later he died. He did it because the Government of Germany decided they were going to spend a number of dollars on heart care and bypasses and because they put a limit on it. Then they would have to decide who was going to get those dollars and who was not.

□ 1850

From a nonhumanitarian point of view, certainly a 33-year-old wage earner would come in front of an 81-year-old man who was no longer a wage earner. One of them paid taxes, the other one did not. So her father died a few years earlier than he would have. You can imagine the pain and agony that that led to her family.

That is why Ann lives in the United States of America today, yet she is horrified that we seem to be going in the direction of Germany and other countries that have nationalized medicine, because of this one part, that we will be paying less to insurance companies, for claims, and that is going to be a trickle-down effect. The big word for it is rationing, plain and simple.

Another thing, to get back to my list of other coverages or other ways that the President wants to cover the cost, by the year 2000 no prices will be allowed to increase except for inflation; again, more rationing.

A decrease in fraud. We all want to decrease fraud. Tell us how. I support that.

Then there is the grind on small businesses. Employers, small businesses, will pay 80 percent of the health care premium of their employees up to 7.9 percent of their payroll. The other 20 percent will be paid for by employees.

Many employers do not pay that benefit right now. It is part of their compensation package. The President is

going to jump that line of contractual obligation between employer and employee and say, "This is how you have to do it." There is not discretion at all for businesses.

Many of the small businesses that I have talked to, the pet stores, the clothing stores, the car service garages, they are saying, "Forget it. We will close down. Our margin is too thin right now. We cannot afford to pick up 80 percent of the cost."

Finally, and the one that even some of the liberal media institutions in the Washington area have a difficult time with, they said that \$51 billion will come from the fact that businesses will be making more profits because they will not have to pay higher health care premiums. Therefore, they will be paying new taxes, and we think this is going to be in the neighborhood of \$51 billion.

Those are pretty nebulous ideas. I would love to have an airplane, I would go home, go back and forth from my district to Georgia and Washington each week. I would love to have an airplane and just commute a little more often, but the fact is I cannot afford an airplane. This is what happens, though, when you let your heart do your thinking for your head. You have to merge the two. You have to have humanitarian goals, but you have to have a bottom line. You have to remember that this is paid for with tax dollars that are competing with dollars for everything else.

Let me talk about the good points for this plan and the bad points. A good point is that the President has brought this to the front burner, and that Congress has let the issue become predominant. There have been other health care reform bills introduced in the past, both by Republicans and Democrats, but it has never gotten to the front burner. I salute the administration for that.

The portability, I like the idea that somebody will not have job loss. I think that is a good idea. Certainly I would not doubt the President's sincerity. I think he does want the American people to save money. He does want to increase security. I think those are all good.

Let me get down to the down side. I know I have already made a few comments along the way about that. Just to take a few examples, choice. You will not have your choice under the President's plan. He is saying that you will have choice, but remember, he called a tax increase a contribution, so you have to watch what he is saying.

You will have your choice of doctors if your doctors are all in the same network. The average American family generally has an internist, has a gynecologist, and has a pediatrician. If all three of those doctors are in the same network and you happen to choose that network, yes, you have the choice.

However, if they go to different networks, you will not have your choice in doctors. That is extremely important to remember.

The rate discrimination that I talked about earlier, what motivation is there for you to take care of yourself and have an annual mammogram or Pap smear or prostate test and exercise and drink the right things, eat the right things, if your premium is going to be the same. It does not matter. Certainly you are going to enjoy good health for it, but I think we should really encourage people to remember, in America, if you try a little harder, there is a break to it, but that incentive is taken out of this plan.

Increased bureaucracy. There is absolutely no question that this plan will increase the bureaucracy. In my area we have a lot of beautiful live oak trees. All of them started out with a tiny little acorn, and they grew.

That creates something real pretty, but a bureaucracy grows the same way, and it does not create something as pretty as a live oak tree. That is what this will do.

You can talk about your seven-member National Health Care Board, but it is going to grow. These alliances are going to grow. They are quasi-governmental, even from the inception. The track record of Government is to grow and grow and grow, and this will create more bureaucracy.

Another problem, it will preempt State laws. In my State, in Georgia, the Georgia insurance commissioner, the Governor, the chairman of the insurance committee in the legislature are all working for health care reform. They have different ideas on it. They have different plans, but they are working on that reform. Under this scenario, whatever they do will be lost, because this will basically preempt State laws and supersede whatever reforms are passed on the State level.

What is bad about that? If the State of Georgia does something that is not in Georgia's best interests, it can turn around and reverse that policy quickly. However, if it comes out of Washington, you are basically stuck with it. What works in Georgia might not work in South Carolina. What works in Alaska, which is a sparsely populated State, won't necessarily work in New York. What works in California is going to be different from Arizona. That is why we have State governments and State legislatures, but this plan will wipe all that out.

Mr. Speaker, finally, let me remind the Members, you would have to surrender your current policy. If you are happy with your current policy, it will not matter. You have to give it up and buy through the alliance. These are problems with the President's plan that we all need to be aware of, because this plan is going to affect all of us.

Alternatives: I am happy to say there are a lot of alternatives. The one I pre-

fer is the one that BOB MICHEL has introduced in the House. It has a number of aspects. No. 1, for the universal appeal of it, it says that small businesses will have to offer health care to their employees, but the financing mechanism and the choice of coverage and plans will strictly be up to the employee and the employer, but they will have to offer it. That dialog will take place.

The fact is, many small businesses, for various reasons, do not want health care. They may be getting it through their spouse's policy, they may be willing to chance it, but that is their choice. This is America. This is a free country. The Government should not be telling you what you can and cannot do in terms of health care.

Another part of the Michel bill, which actually is in the Clinton plan, and I do need to point that out, is 100 percent deductibility for small businesses. Currently, proprietorships, partnerships, sole proprietors, they do not have the full deductibility of the health care premium the way large corporations do. This plan and the Clinton plan will give them 100 percent deductibility. I think that is good.

The Michel plan also has portability of coverage. I believe that is good. The Michel plan, however, allows you to keep your current coverage if you want to do that. The Michel plan also has a Medisave account.

The way a Medisave account works is that the employer, instead of just funding strictly a premium which goes to an insurance company actually would buy a catastrophic coverage for you, a policy, and then have the balance that would fund a large deductible, a \$2,000 or \$3,000 deductible, so the employee would be covered in the event there was some catastrophic illness, but in the meantime for your broken arms and your stitches and colds and so forth, the employee would be spending money out of that fund, and whatever is left over would go straight to the employee's pocket.

The idea behind that, and one that I think is very important, is that in America we can tell you how much cars cost, even though we don't necessarily own that type of car. We can tell you how much houses cost in another neighborhood. We can talk to you about the price of a new TV.

When it comes to a broken arm, no one has any idea. You don't know if it is a \$50 medical cost to set an arm or if it is \$500 or if it is \$272. We don't know. Let us educate and empower consumers so they can know what a fair price is and they can shop for a fair price.

Given that opportunity, I believe we will have competition in health care and we will drive the cost down.

Finally, the Michel plan allows small businesses and institutions to form various purchase groups. These various purchase groups would act as clusters

so that small business could enjoy the economies of scale that large corporations enjoy.

Those are some of the alternatives offered by the Michel plan. Again, there are a lot of plans. There are plans. There is one by Senator CHAFEE, WELLSTONE, COOPER, Senator GRAHAM. The gentleman from Iowa [Mr. GRANDY] has one in the House. I think it is important. There are a lot of plans. I think this is very important, because we are talking about such a large issue, an issue that touches every single American.

Although I think it is important, we always talk about 37 million people who do not have health care, but we never talk about the 215 million who do have health care.

□ 1900

One of the things that was in the Investors Business Daily on October 25 was an article that discussed the composition of the 37 million people, and in it they talked about the fact that the majority of them are workers who have temporarily lost their benefits because they are in between jobs, and then it said the other portion of the 37 million are 18-year-old college students, non-workers, and spouses and indigents. So we are not necessarily talking about the same 37 million people. We are talking about a 37 million group that passes through, that turns over a lot.

I would never stand here and tell you that we do not need health care reform, but I would stand here and say we have got to look at everything very, very carefully.

Incidentally, the same article says that in 1986 the level of uninsured was the same as it is 1993. We should have started health care reform in 1986, obviously. But I only stress this to say the urgency is no worse today than it was 5 or 6 years ago. We talk about medical inflation. Here is a statistic in the same article that said that in 1981 the health care inflation was 9.6 percent, and in 1974 it was 12 percent.

All of these statistics get somewhat lost in the argument, and that is why I want to bring them out, because I think it is very important. I am glad again that the President has brought this important debate before Congress and the American people. But I want to say that there are a lot of alternatives, and before we run off into a Socialist medicine program we need to be very careful and preserve the good things about our current delivery system, and try to stay away from more Government.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted for:

Mr. ROMERO-BARCELO (at the request of Mr. GEPHARDT) for today and the balance of the week, on account of official business.

Mr. UNDERWOOD (at the request of Mr. GEPHARDT) for today and the balance of the week, on account of official business.

Mr. LEWIS of Florida (at the request of Mr. MICHEL) for today, on account of a death in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. WALKER) to revise and extend their remarks and include extraneous material:)

Mr. HOEKSTRA, for 60 minutes, today.

Mr. WALKER, for 5 minutes, today.

(The following Members (at the request of Ms. BYRNE) to revise and extend their remarks and include extraneous material:)

Mr. RICHARDSON, for 5 minutes each day, on November 8, 9, 10, 15, 16, and 17.

Mr. SKELTON, for 5 minutes, today.

Mr. FALEOMAVAEGA, for 5 minutes, today.

Mr. GEPHARDT, for 60 minutes each day, on November 9 and 10.

Mr. FINGERHUT, for 60 minutes each day, on November 9 and 10.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. WALKER) and to include extraneous matter:)

Mr. GINGRICH in nine instances.

Mr. FAWELL.

Mr. BOEHLERT.

Mr. THOMAS of Wyoming.

Mr. CRANE.

Mr. PACKARD.

Mr. SOLOMON in two instances.

Mr. WELDON in two instances.

Mr. YOUNG of Florida.

Mr. BAKER of California.

Mr. GALLEGLY.

Mr. LEWIS of Florida.

Ms. MOLINARI.

Mr. BEREUTER.

Mr. GALLEGLY.

(The following Members (at the request of Ms. BYRNE) and to include extraneous matter:)

Mrs. MALONEY in four instances.

Mr. DE LUGO.

Ms. LONG.

Mr. JACOBS.

Ms. DELAUNO.

Mr. RICHARDSON.

Mr. TRAFICANT.

Mr. PARKER.

Mr. DE LA GARZA.

Mr. POSHARD.

(The following Members (at the request of Mr. KINGSTON) and to include extraneous matter:)

Mr. TEJEDA.

Mr. STUDDS.

Mr. GEPHARDT.

Mr. KLEIN.

Mr. ORTIZ.

ENROLLED BILLS SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 175. An act to amend title 18, United States Code, to authorize the Federal Bureau of Investigation to obtain certain subscriber information.

H.R. 1345. An act to designate the Federal building located at 280 South First Street in San Jose, California, as the "Robert F. Peckham United States Courthouse and Federal Building."

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 616. An act to amend title 38, United States Code, to provide a cost-of-living adjustment in the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of such veterans.

JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. ROSE, from the Committee on House Administration, reported that that committee did on the following date present to the President, for his approval a joint resolution of the House of the following title:

On November 4, 1993:

H.J. Res. 205. Joint resolution designating the week beginning October 31, 1993, as "National Health Information Management Week."

ADJOURNMENT

Mr. KINGSTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 2 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, November 9, 1993, at 11 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2112. A letter from the Chairman, Farm Credit Administration, transmitting a report of a violation of the Anti-Deficiency Act which occurred in the Farm Credit Administration, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

2113. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled "Review of the University of the

District of Columbia President's Representation Fund for FY 1990, 1991 and 1992," pursuant to D.C. Code, section 47-117(d); to the Committee on the District of Columbia.

2114. A letter from the Auditor, District of Columbia, transmitting a report entitled "Analysis of the District of Columbia Water and Sewer Utility Administration's Commercial and Residential Accounts Receivable," pursuant to D.C. Code, section 47-117(d); to the Committee on the District of Columbia.

2115. A letter from the Auditor, District of Columbia, transmitting a report entitled "Comparative Analysis of the Structure of the District of Columbia Water and Sewer Enterprise Fund," pursuant to D.C. Code, section 47-117(d); to the Committee on the District of Columbia.

2116. A letter from the Executive Director, District of Columbia Retirement Board, transmitting financial disclosure statements of Board members, pursuant to D.C. Code, section 1-732, 1-734(a)(1)(A); to the Committee on the District of Columbia.

2117. A letter from the Secretary of Education, transmitting a notice of final regulations for the Talent Search Program, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

2118. A letter from the Secretary of Energy, transmitting the report on the status of Exxon and Stripper Well oil overcharge funds; to the Committee on Energy and Commerce.

2119. A letter from the Director, Defense Security Assistance Agency, transmitting the Department of the Navy's proposed lease of defense articles to Australia (Transmittal No. 4-94), pursuant to 22 U.S.C. 2796a(a); to the Committee on Foreign Affairs.

2120. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of the Deputy Secretary's determination and justification that it is in the national interest to grant assistance to Guatemala, pursuant to 22 U.S.C. 2370(q); to the Committee on Foreign Affairs.

2121. A communication from the President of the United States, transmitting the bi-monthly report on progress toward a negotiated solution of the Cyprus problem, including any relevant reports from the Secretary General of the United Nations, pursuant to 22 U.S.C. 2373(c); to the Committee on Foreign Affairs.

2122. A letter from the Comptroller General, General Accounting Office, transmitting the list of all reports issued or released in September 1993, pursuant to 31 U.S.C. 719(h); to the Committee on Government Operations.

2123. A letter from the Director, Office of Management and Budget, transmitting a report on enacted appropriations legislation pursuant to section 251(a)(7) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended; to the Committee on Government Operations.

2124. A letter from the Chairman, U.S. Nuclear Waste Technical Review Board, transmitting a report pursuant to the Inspector General Act Amendment of 1988, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

2125. A letter from the Chairman, Pennsylvania Avenue Development Corporation, transmitting the 1992 annual report of the Corporation, pursuant to 40 U.S.C. 880(a); to the Committee on Natural Resources.

2126. A letter from the Director, Administrative Office of the United States Courts, transmitting a draft of proposed legislation to make improvements in the operation and

administration of the Federal courts, and for other purposes; to the Committee on the Judiciary.

2127. A letter from the Secretary of Commerce, transmitting the second report on the impact of increased aeronautical and nautical chart prices, pursuant to 44 U.S.C. 1307(a)(2)(A); to the Committee on Merchant Marine and Fisheries.

2128. A letter from the Secretary of Labor, transmitting the quarterly report on the expenditure and need for worker adjustment assistance training funds under the Trade Act of 1974, pursuant to 19 U.S.C. 2296(a)(2); to the Committee on Ways and Means.

2129. A letter from the Chairman, Nuclear Regulatory Commission, transmitting a report on the nondisclosure of safeguards information for the quarter ending September 30, 1993, pursuant to 42 U.S.C. 2167(e); jointly, to the Committees on Energy and Commerce and Natural Resources.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Submitted November 5, 1993]

Mr. HAMILTON: Committee on Foreign Affairs. House Concurrent Resolution 170. Resolution directing the President pursuant to section 5(c) of the War Powers Resolution to remove United States Armed Forces from Somalia by January 31, 1994; with amendments (Rept. 103-329). Referred to the Committee of the Whole House on the State of the Union.

[Submitted November 8, 1993]

Mr. MINETA: Committee on Public Works and Transportation. H.R. 3225. A bill to support the transition to nonracial democracy in South Africa; with amendments (Rept. 103-296, Pt. 2). Ordered to be printed.

Mr. FORD of Michigan: Committee on Education and Labor. H.R. 3161. A bill to make technical amendments necessitated by the enactment of the Older Americans Act Amendments of 1992, and for other purposes; with an amendment (Rept. 103-330). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of California: Committee on Natural Resources. H.R. 457. A bill to provide for the conveyance of lands to certain individuals in Butte County, CA; with an amendment (Rept. 103-331). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of California: Committee on Natural Resources. H.R. 3252. A bill to provide for the conservation, management, or study of certain rivers, parks, trails, and historic sites, and for other purposes; with amendments (Rept. 103-332). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROSTENKOWSKI: Committee of Conference. Conference report on H.R. 3167. A bill to extend the emergency unemployment compensation program, to establish a system of worker profiling, and for other purposes (Rept. 103-333). Ordered to be printed.

Ms. SLAUGHTER: Committee on Rules. House Resolution 298. Resolution waiving points of order against the conference report to accompany the bill (H.R. 3167) to extend the emergency unemployment compensation program, to establish a system of worker profiling, and for other purposes (Rept. 103-334). Referred to the House Calendar.

Mr. BEILENSON: Committee on Rules. House Resolution 299. Resolution providing for consideration of the bill (H.R. 1036) to amend the Employee Retirement Income Security Act of 1974 to provide that such act does not preempt certain State laws (Rept. 103-335). Referred to the House Calendar.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 2178. A bill to amend the Hazardous Materials Transportation Act to authorize appropriations for fiscal years 1994, 1995, 1996, and 1997; with amendments (Rept. 103-336 Pt. 1). Ordered to be printed.

Mr. MINETA: Committee on Public Works and Transportation. H.R. 3276. A bill to make technical corrections to title 23, United States Code, the Federal Transit Act, and the Intermodal Surface Transportation Efficiency Act of 1991, and for other purposes; with an amendment (Rept. 103-337). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FAWELL:

H.R. 3458. A bill to amend the Occupational Safety and Health Act of 1970 to apply its provisions to the House of Representatives and instrumentalities of Congress; jointly, to the Committees on Education and Labor and House Administration.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 3459. A bill to amend the Federal Deposit Insurance Act to permit the continued insurance of deposits in minority- and women-owned banks by the Bank Deposit Financial Assistance Program; to the Committee on Banking, Finance and Urban Affairs.

By Mr. RAHALL (for himself and Mr. SHUSTER):

H.R. 3460. A bill to amend the Hazardous Materials Transportation Act to authorize appropriations for fiscal years 1994, 1995, 1996, 1997, and 1998, and for other purposes; jointly, to the Committees on Energy and Commerce and Public Works and Transportation.

By Mrs. MALONEY:

H.R. 3461. A bill to amend part E of title IV of the Social Security Act to require States to administer qualifying examinations to all State employees with new authority to make decisions regarding child welfare services; to the Committee on Ways and Means.

H.R. 3462. A bill to amend part E of title IV of the Social Security Act to expedite the permanent placement of foster children by requiring States, at the time of a child is placed in foster care, to find any absent parent of the child and evaluate the ability of the absent parent to provide a suitable home for the child; to the Committee on Ways and Means.

H.R. 3463. A bill to amend part E of title IV of the Social Security Act to facilitate the placement of foster children in permanent kinship care arrangements; to the Committee on Ways and Means.

By Mr. DREIER:

H.R. 3464. A bill to provide comprehensive measures against arson; jointly, to the Committees on the Judiciary and Agriculture.

By Mr. STUDDS (for himself and Mr. DE LA GARZA):

H.R. 3465. A bill to amend the Federal Water Pollution Control Act to improve the protection of wetlands and thereby restore and maintain the physical, chemical, and bi-

ological integrity of the Nation's waters, and for other purposes; jointly, to the Committees on Merchant Marine and Fisheries, Agriculture, and Public Works and Transportation.

By Mr. OBEY:

H.R. 3466. A bill to amend title 18, United States Code, to prohibit the possession of a handgun or handgun ammunition by, or the private transfer of a handgun or handgun ammunition to, a juvenile; to the Committee on the Judiciary.

By Mr. RICHARDSON:

H.R. 3467. A bill to establish a health care reform trust fund in the Treasury of the United States; jointly, to the Committees on Energy and Commerce, Ways and Means, and Government Operations.

By Ms. SLAUGHTER:

H.R. 3468. A bill to amend the Public Health Service Act with respect to employment opportunities at the National Institutes of Health for women who are scientists, and for other purposes; to the Committee on Energy and Commerce.

By Mr. THOMAS of Wyoming (for himself, Mr. TAYLOR of North Carolina, and Mr. YOUNG of Alaska):

H.R. 3469. A bill to provide for the consideration of a petition for Federal Recognition of the Lumbee Indians of Robeson and adjoining counties, and for other purposes; to the Committee on Natural Resources.

By Mr. MICHEL (for himself, Mr. GINGRICH, Mr. THOMAS of California, Mr. LIVINGSTON, Mr. BAKER of California, Mr. BALLENGER, Mr. BARRETT of Nebraska, Mr. BEREUTER, Mr. BLUTE, Mr. CALVERT, Mr. CASTLE, Mr. COLLINS of Georgia, Mr. COX, Mr. DICKEY, Mr. DOOLITTLE, Mr. EWING, Mr. FRANKS of New Jersey, Mr. GALLEGLY, Mr. GEKAS, Mr. GOODLING, Mr. GOSS, Mr. GREENWOOD, Mr. HASTERT, Mr. HOKE, Mr. HORN of California, Mr. HOUGHTON, Mr. HUTCHINSON, Mr. INGLIS of South Carolina, Mr. KOLBE, Mr. MCCREY, Mr. MCKEON, Mr. MILLER of Florida, Mr. MOORHEAD, Mr. OXLEY, Mr. PACKARD, Mr. PORTMAN, Mr. QUINN, Mr. RAMSTAD, Mr. ROTH, Mr. SAXTON, Mr. SCHIFF, Mr. SHAYS, Mr. SMITH of Texas, Mr. SMITH of Michigan, Mr. UPTON, and Mr. WALSH):

H.R. 3470. A bill to amend the Federal Election Campaign Act of 1971 to ban activities of political action committees in Federal elections, and for other purposes; to the Committee on House Administration.

By Mr. GEPHARDT:

H. Con. Res. 176. Concurrent resolution to recognize and encourage the convening of a National Silver-Haired Congress; to the Committee on Education and Labor.

By Mr. WELDON (for himself, Mr. ORTIZ, Mr. STUDDS, Mr. FIELDS of Texas, Mr. YOUNG of Alaska, Mr. SAXTON, Mr. LAUGHLIN, Mr. RAVENEL, Mr. COBLE, Mr. MCCLOSKEY, Ms. SCHENK, Mr. INHOFE, Mr. COPPERSMITH, Mr. HEFLEY, Mrs. FOWLER, Mr. GOSS, Mr. SKEEN, and Mr. SMITH of Texas):

H. Con. Res. 177. Concurrent resolution calling for the United States to amend the London Convention to ban the ocean dumping of low-level radioactive waste, and for other purposes; to the Committee on Foreign Affairs.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 302: Mrs. VUCANOVICH.
H.R. 322: Mr. LAZIO.
H.R. 323: Mr. BAKER of California.
H.R. 401: Mr. ARMEY.
H.R. 429: Mr. ALLARD, Mr. BILIRAKIS, Mr. MOORHEAD, Mr. STEARNS, and Mr. STUMP.
H.R. 513: Mr. PORTMAN.
H.R. 818: Mr. PAYNE of New Jersey, Mr. OWENS, Mr. TOWNS, Mr. SCOTT, and Mr. FILNER.
H.R. 898: Mr. GOODLATTE, Mr. SCHAEFER, Mr. CHAPMAN, Mr. SCOTT, and Mr. WILSON.
H.R. 1012: Mr. YATES.
H.R. 1046: Mr. ROMERO-BARCELO and Ms. VELAZQUEZ.
H.R. 1047: Mr. BROWN of California and Ms. VELAZQUEZ.
H.R. 1055: Mrs. JOHNSON of Connecticut.
H.R. 1174: Ms. WOOLSEY.
H.R. 1354: Mr. BACCHUS of Florida, Mr. FILNER, Ms. ROYBAL-ALLARD, Mr. WAXMAN, Mr. HAMBURG, Ms. WOOLSEY, and Mr. MORAN.
H.R. 1472: Ms. HARMAN.
H.R. 1504: Mr. BROWN of California.
H.R. 1552: Mr. JOHNSON of South Dakota and Mr. EMERSON.
H.R. 1559: Mr. ACKERMAN.
H.R. 1645: Mr. ENGEL, Mr. FINGERHUT, and Ms. ENGLISH of Arizona.
H.R. 1709: Mr. NADLER and Mr. CRAPO.
H.R. 1957: Mr. GINGRICH.
H.R. 2092: Mr. FARR.
H.R. 2543: Mr. FRANK of Massachusetts.
H.R. 2572: Mr. TORRES.
H.R. 2586: Ms. PELOSI and Mr. EDWARDS of California.
H.R. 2599: Mr. WYNN and Mr. HAMBURG.
H.R. 2612: Mr. MATSUI and Mr. HAMBURG.
H.R. 2613: Mr. FROST and Mr. LIPINSKI.
H.R. 2638: Mr. EDWARDS of California, Mr. MCCLOSKEY, Mr. WAXMAN, Mr. HOCHBRUECKNER, Mr. BROWN of California, and Mr. RAHALL.
H.R. 2641: Ms. CANTWELL and Mr. WILLIAMS.
H.R. 2662: Mr. FIELDS of Louisiana, Mr. FORD of Tennessee, Mrs. CLAYTON, Mr. WHEAT, Mr. HILLIARD, Mr. THOMPSON, Mr. CONYERS, and Mr. EVANS.
H.R. 2702: Mr. RICHARDSON.
H.R. 2706: Mr. GEJDENSON, Mr. INSLEE, Mr. HAMBURG, and Mr. GUTIERREZ.
H.R. 2735: Ms. KAPTUR.
H.R. 2803: Mr. GLICKMAN, Mr. LEHMAN, Mr. DEUTSCH, Mr. MCCRERY, and Mr. BURTON of Indiana.
H.R. 2834: Ms. MARGOLIES-MEZVINSKY.
H.R. 2835: Mr. MEEHAN and Ms. MARGOLIES-MEZVINSKY.

H.R. 2860: Mr. OXLEY and Mr. HUTCHINSON.
H.R. 2880: Mr. BAKER of California.
H.R. 2884: Mr. KOPETSKI.
H.R. 2898: Mr. TORRES.
H.R. 2941: Ms. DANNER, Mr. LIGHTFOOT, and Mr. ROBERTS.
H.R. 2968: Mr. DEAL and Mr. MINGE.
H.R. 3005: Mrs. MEYERS of Kansas, Mr. FIELDS of Texas, and Mr. MILLER of Florida.
H.R. 3030: Mr. ROGERS.
H.R. 3041: Mr. BONIOR, Mr. REED, and Mr. FINGERHUT.
H.R. 3070: Mr. OBERSTAR, Mr. SKEEN, Mr. INSLEE, Mr. BARLOW, Mr. MOLLOHAN, Mr. JEFFERSON, Mr. EVANS, and Mr. LANCASTER.
H.R. 3087: Mr. MCNULTY and Mr. BARRETT of Wisconsin.
H.R. 3102: Mr. TOWNS, Mr. GLICKMAN, Mr. KLECZKA, Mr. OBERSTAR, Ms. KAPTUR, Mr. BARLOW, Mr. BURTON of Indiana, Mr. COBLE, Mr. COLEMAN, Mr. ENGLISH of Oklahoma, Mr. HALL of Texas, Mr. INSLEE, Mr. INHOFE, Mr. ISTOOK, Mr. LEWIS of California, Mr. LEWIS of Florida, Mr. PAYNE of Virginia, Ms. PRYCE of Ohio, Mr. ROGERS, Mr. SLATTERY, Mr. VALENTINE, Mr. VOLKMER, Mr. WILLIAMS, and Mr. ZELIFF.
H.R. 3109: Mr. MARTINEZ.
H.R. 3138: Mr. COPPERSMITH.
H.R. 3158: Mr. FILNER and Mr. FROST.
H.R. 3219: Ms. BYRNE, Mr. BONIOR, Mrs. MINK, Mr. LIPINSKI, Mr. FILNER, Mr. MURPHY, Mr. HASTINGS, Mr. DEFAZIO, Mr. PAYNE of New Jersey, Ms. FURSE, Mr. SANDERS, Mr. PALLONE, Mr. HINCHEY, and Mr. EVANS.
H.R. 3259: Mr. KLUG, Mr. FOGLIETTA, Mr. COPPERSMITH, and Mr. LIPINSKI.
H.R. 3303: Mr. HAMBURG, Mr. MILLER of California, Mrs. UNSOELD, Mr. HUGHES, Mr. BROWN of California, Ms. WOOLSEY, Mr. TAYLOR of Mississippi, Mr. FILNER, Mr. WALSH, and Mr. GENE GREEN of Texas.
H.R. 3314: Mr. KREIDLER, Ms. BYRNE, Mr. FOGLIETTA, Ms. PELOSI, Mr. GUNDERSON, Mr. DELLUMS, Mr. EVANS, Ms. SHEPHERD, Mrs. SCHROEDER, Mr. SWETT, Mr. KOPETSKI, Mr. BILBRAY, and Mr. STARK.
H.R. 3320: Mr. MCKEON and Mr. SENSENBRENER.
H.R. 3357: Mr. RAMSTAD, Mr. JACOBS, Mr. PETRI, Mr. SCHIFF, Mr. MANN, Mr. TORKILDSEN, and Mr. MCCANDLESS.
H.R. 3363: Mr. PETERSON of Florida, and Mrs. LOWEY.
H.R. 3364: Mr. DIAZ-BALART, Mr. HASTINGS, Ms. BROWN of Florida, Mr. FRANK of Massachusetts, Mr. FOGLIETTA, Mr. DELLUMS, Mr. CONYERS, Mr. STARK, and Mr. DEUTSCH.
H.R. 3370: Mr. OWENS and Ms. VELAZQUEZ.
H.R. 3373: Mr. SWIFT and Mr. GREENWOOD.
H.R. 3374: Mr. SWIFT and Mr. GREENWOOD.
H.R. 3392: Mr. CLEMENT and Mr. EWING.
H.R. 3421: Mr. FIELDS of Texas, Mr. BONILLA, Mr. MILLER of Florida, and Mr. EMERSON.

H.R. 3435: Mr. DEUTSCH, Mr. BARRETT of Wisconsin, Mr. BERMAN, and Ms. KAPTUR.

H.J. Res. 75: Mr. CASTLE.

H.J. Res. 113: Mr. HOCHBRUECKNER and Mr. HUNTER.

H.J. Res. 139: Mr. GORDON, Mr. REED, Mr. SWETT, Ms. BROWN of Florida, Mr. MACHTLEY, Mr. BUNNING, Mr. KLINK, Mr. LANTOS, Mr. RAVENEL, Mr. SANDERS, Mr. KLUG, Mr. LEWIS of Florida, Ms. PRYCE of Ohio, Mr. SKEEN, Mr. NUSSLE, Mr. GRANDY, Mr. RAHALL, Mr. KLECZKA, Mr. MCCLOSKEY, Mr. KOPETSKI, Mr. MCCOLLUM, Mr. RICHARDSON, Mr. EVERETT, Mr. BROWN of California, Mr. OBERSTAR, Mr. DICKEY, Mr. POSHARD, Mr. LIVINGSTON, Mr. CARDIN, Mr. ABERCROMBIE, Mr. SARPALIUS, Mr. LEACH, Mr. HAYES, Mr. PAYNE of New Jersey, Mr. MINETA, Mr. MURPHY, Mr. MEEHAN, Miss COLLINS of Michigan, Mr. GILMAN, Mr. KILDEE, Mr. LIPINSKI, Mr. HUNTER, Mr. POMEROY, Mr. TANNER, Mr. TOWNS, Mrs. VUCANOVICH, Mr. WAXMAN of California, Ms. SNOWE, Mr. SPRATT, Mr. SMITH of Iowa, and Mr. PALLONE.

H.J. Res. 185: Ms. MARGOLIES-MEZVINSKY.

H.J. Res. 216: Mr. CLINGER, Mr. MCCRERY, Mr. ROHRBACHER, Mr. BARTON of Texas, Mr. BURTON of Indiana, Mr. CALLAHAN, Mr. DELAY, Mr. GRANDY, Mr. HORN of California, Mr. LEWIS of California, Mr. SHAW, Mr. SHAYS, Mr. ZIMMER, and Mr. SPRATT.

H.J. Res. 234: Mr. BORSKI and Mr. KLUG.

H. Con. Res. 147: Ms. FURSE.

H. Res. 237: Mr. GINGRICH, Mr. GOSS, Mr. HUNTER, Mr. ISTOOK, Mrs. JOHNSON of Connecticut, Mr. KIM, Mr. KYL, Mr. EVERETT, Mr. McMILLAN, Mrs. MEYERS of Kansas, Mr. ROTH, Mr. SMITH of Michigan, Mr. THOMAS of Wyoming, Mr. UPTON, Mr. WALKER, Mr. KNOLLENBERG, Mr. WALSH, Mr. KLUG, Mr. STUMP, Mr. BUYER, Mr. CALVERT, Mr. CRAPO, and Mr. LIVINGSTON.

H. Res. 270: Mr. KING and Mr. BATEMAN.

H. Res. 281: Mr. BALENGER, Mr. MACHTLEY, Mr. BOEHNER, Mr. BURTON of Indiana, Mr. CALVERT, Mr. CASTLE, Mr. WELDON, Mr. SKEEN, Mr. SMITH of Oregon, Mr. SPENCE, Mr. TORKILDSEN, Mr. CRAPO, Ms. PRYCE of Ohio, Mr. SAM JOHNSON, Mr. ARCHER, Ms. BYRNE, Mr. INHOFE, Mr. JOHNSON of South Dakota, Mr. EVERETT, Mr. FISH, Mrs. FOWLER, Mr. FRANKS of Connecticut, Mr. GALLO, Mr. MOORHEAD, Mr. PACKARD, Mr. QUINN, Mr. KASICH, Mr. KINGSTON, Mr. LEVY, Mr. LEWIS of California, Mr. KOLBE, Mr. LEACH, Mr. KILDEE, Mr. MONTGOMERY, Mr. COBLE, Mrs. MEYERS of Kansas, Mr. BARTON of Texas, Mrs. JOHNSON of Connecticut, and Mr. THOMAS of Wyoming.